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No. 114

House of Representatives

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER. Pursuant to House Resolution 273 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2670.

□ 1350

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, August 4, 1999, the amendment offered by the gentleman from Oklahoma (Mr. COBURN) had been disposed of and the bill was open for amendment from page 47 line 6 through page 48 line 5.

Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$142,320,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$10,940,000, to remain available until ex-

pendent: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the NTIA Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$18,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$1,800,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That, notwithstanding section 391 of the Act, prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$13,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That, of the funds appropriated herein, not to exceed 5 percent may be available for tele-

communications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: *Provided further*, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, \$735,538,000, to remain available until expended: *Provided*, That of this amount, \$735,538,000 shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at \$0: *Provided further*, That, during fiscal year 2000, should the total amount of offsetting fee collections be less than \$735,538,000, the total amounts available to the Patent and Trademark Office shall be reduced accordingly: *Provided further*, That any amount received in excess of \$735,538,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000: *Provided further*, That not to exceed \$116,000,000 from fees collected in fiscal year 1999 shall be made available for obligation in fiscal year 2000.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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SCIENCE AND TECHNOLOGY
TECHNOLOGY ADMINISTRATION
UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF
TECHNOLOGY POLICY
SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, \$7,972,000.

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$280,136,000, to remain available until expended, of which not to exceed \$282,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, \$99,836,000, to remain available until expended: *Provided*, That none of the funds provided under this heading may be provided for Federal financial assistance to a Regional Center for the Transfer of Manufacturing Technology ("Center"), beyond six years at a rate in excess of one-third of the Center's total annual costs or the level of funding in the sixth year, whichever is less, subject before any renewal to a positive evaluation of the Center through an independent review.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$56,714,000, to remain available until expended: *Provided*, That of the amounts provided under this heading, \$44,916,000 shall be available for obligation and expenditure only after submission of a plan for the expenditure of these funds, in accordance with section 605 of this Act.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 53 line 13 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; not to exceed 250 commissioned officers on the active list as of September 30, 2000; grants, contracts, or other payments to non-profit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i; \$1,477,738,000, to remain available until expended: *Provided*, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwith-

standing 31 U.S.C. 3302: *Provided further*, That in addition, \$67,226,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000: *Provided further*, That, of the \$1,621,616,000 provided for in direct obligations under this heading (of which \$1,477,738,000 is appropriated from the General Fund, \$71,226,000 is provided by transfer, \$34,000,000 is derived from fees, if enacted into law, and \$38,652,000 is derived from unobligated balances and deobligations from prior years), \$235,900,000 shall be for the National Ocean Service, \$350,545,000 shall be for the National Marine Fisheries Service, \$260,560,000 shall be for Oceanic and Atmospheric Research, \$599,196,000 shall be for the National Weather Service, \$100,656,000 shall be for the National Environmental Satellite, Data, and Information Service, \$57,594,000 shall be for Program Support, \$7,000,000 shall be for Fleet Maintenance, and \$10,165,000 shall be for Facilities Maintenance: *Provided further*, That not to exceed \$31,439,000 shall be expended for Executive Direction and Administration, which consists of the Offices of the Under Secretary, the Executive Secretariat, Policy and Strategic Planning, International Affairs, Legislative Affairs, Public Affairs, Sustainable Development, the Chief Scientist, and the General Counsel: *Provided further*, That the aforementioned offices, excluding the Office of the General Counsel, shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or nonreimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis above the level of 33 personnel: *Provided further*, That no general administrative charge shall be applied against any assigned activity included in this Act and, further, that any direct administrative expenses applied against assigned activities shall be limited to five percent of the funds provided for that assigned activity: *Provided further*, That any use of deobligated balances of funds provided under this heading in previous years shall be subject to the procedures set forth in section 605 of this Act.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

AMENDMENT NO. 22 OFFERED BY MR. EHLERS

Mr. EHLERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. EHLERS:

Page 53, line 26, after the dollar amount insert "(increased by \$390,000)".

Page 54, line 12, after the dollar amount insert "(increased by \$390,000)".

Page 54, line 13, after the dollar amount insert "(increased by \$390,000)".

Page 54, line 18, after the dollar amount insert "(increased by \$390,000)".

Page 56, line 9, after the dollar amount insert "(reduced by \$390,000)".

Mr. EHLERS. Mr. Chairman, I offer an amendment dealing with the problem on the Great Lakes, and I thank the chairman for all he has done on the Great Lakes in this legislation. Notably,

bly, the committee has funded the Great Lakes Environmental Research Laboratory at last year's level after the administration cut it in their budget submission, and we appreciate the chairman's action on that.

In May of this year, NOAA's National Ocean Service proposed the elimination of 13 of 49 water level gauging stations on the Great Lakes-St. Lawrence River system. These stations provide valuable water level data used by several different agencies and institutions to predict water levels and monitor water flows at specific points in the lakes.

I am proposing an amendment that would increase NOAA's operation budget by \$390,000 to upgrade these stations and ensure that they will continue to provide valuable research data.

Due to record-low water levels in the Great Lakes, it is more important than ever to maintain a monitoring network for research into the hydrologic cycles in the Great Lakes Basin.

The downsizing was prompted by the need to upgrade and automate these stations, which NOAA claims could not be accomplished within the existing operational budget constraints. Several agencies, including the Army Corps of Engineers, the Environmental Protection Agency, the Great Lakes Environmental Research Laboratories, and the International Joint Commission, which is currently conducting a year-long study of water levels on the Great Lakes, objected to the closure of these stations.

Several of the affected stations provide key comparisons for the long-term record of water levels, and many stations located in connecting channels provide key information on water transfer between the lakes.

Local communities would be the most severely affected by the loss of data from stations located at upstream sites. For example, Lake Erie water levels are most directly affected by the rate of water flow through the Detroit and St. Clair Rivers.

This is a very important issue in the Great Lakes. I appreciate all the chairman has done. I understand that he also looks favorably upon this amendment. I hope that is correct, and, if so, we can bring this debate to a rapid conclusion.

Mr. ROGERS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman has brought to the Committee's attention a very important matter. We have examined the amendment and agree with the gentleman and thank him for bringing this matter to our attention and support the amendment.

Mr. QUINN. Mr. Chairman, I rise today in support of Mr. EHLERS' amendment to increase funding for the National Oceanic and Atmospheric Administration (NOAA) operations budget by \$390,000. It is imperative that the 13 National Ocean Services (NOS) water level gauging stations upgrade their computer networks to Y2K compliance.

Sturgeon Point—the gauging station in my district—is essential. It predicts floods in times

of high water and aids navigation in times of low water on Lake Erie. Without Sturgeon Point, and the other 12 stations, much industry and recreation could be paralyzed in Buffalo and all of the Great Lakes region.

The \$390,000 provided to the National Ocean Service by the amendment meets the estimated cost of upgrading the additional 13 stations. When the new technology comes on line, NOAA estimates that operational expenses should fall to approximately half of the current level. Using those estimates, the system upgrades should pay for themselves in just over five years.

Mr. Chairman, if there was ever a summer that we could see the need for these stations, it is this one. With water levels falling from drought and the threat of despair we can see that these stations can aid us in getting through the heat of the summer and thaw of the spring.

Mr. DINGELL. Mr. Chairman, I rise in strong support of the amendment offered by my colleague and friend from Grand Rapids.

Earlier this year, the National Ocean Service proposed eliminating 13 of 49 water level gauging stations in the Great Lakes and St. Lawrence River system due to a budget insufficient to address Y-2-K compliance problems.

This proposal was advanced without consulting many of the constituencies who rely on the data of this Water Level Observation Network, including shoreline residents, local governments, recreational and commercial fishermen, and shippers of commerce from Great Lakes ports to points worldwide.

In my own district, two water-gauging stations were proposed for closing: one on the Detroit River and one in Lake Erie near the City of Monroe. Without these stations, other federal agencies such as the U.S. Army Corps of Engineers, the EPA, the Fish and Wildlife Service cannot provide needed services that support recreational uses, commercial uses, and the ecological integrity of the Great Lakes.

Mr. Chairman, my colleague from Michigan is offering a commonsense amendment to address a critical need for Great Lakes protections, and I urge the House to accept it.

The CHAIRMAN. Is there further discussion on the amendment?

If not, the question is on the amendment offered by the gentleman from Michigan (Mr. EHLERS).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this section?

Ms. RIVERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today not to speak to what is in the bill but what is not in the bill. Specifically, the Advanced Technology Program. This program was created with bipartisan support under the Bush administration.

The Advanced Technology Program has as its basic mission to benefit the U.S. economy by cost-sharing research within industry to foster new and innovative technologies. The ATP invests in risky, challenging technologies that have the potential for a big payoff for the U.S. economy.

There have been many arguments made about the ATP over the years, but most of them have been addressed. Unfortunately, this has not been included in this year's appropriations,

and I think it is to the detriment of our economy and to our high-tech industries as well.

The ATP is industry driven. Its research priorities are set by industry, not the government. For-profit companies conceive, propose, and execute ATP projects and programs based on their understanding of the marketplace and research opportunities. Far too often this particular fact has either been misunderstood or misrepresented.

The ATP is not a product development program, as many people have argued. The ATP does not fund companies to do product development, it instead funds R&D to develop high-risk technology to the point where it is feasible for companies to begin product development, but that they must do on their own.

ATP also embodies fair competition. They are rigorous, they are fair, and they are based entirely on technical and business merit. Too often people argue about this program by saying the government is picking winners and losers. That is not true. And small companies compete just as effectively as large companies for ATP grants. Roughly half of the ATP awards have gone to small companies or joint ventures led by a small company. ATP is in fact a partnership. It is not a free ride for winning companies.

Many people have argued that we can sustain this loss of funding because tax credits can take the place of the ATP. In fact, tax credits cannot replace ATP. R&D tax credits are an important policy tool for encouraging research and innovation by industry, but they are not a substitute for the Advanced Technology Program.

The Advanced Technology Program has been evaluated and reevaluated. It has shown that many of the projects that have taken place would not have been done or would not have been done in the same way or as quickly without the ATP.

Lastly, two more issues I want to point out is that university participation in ATP is an important aspect of the program. Out of the 352 projects selected by the ATP since its inception, 189 of the proposals included plans to involve one or more universities. Lastly, small businesses also participate greatly in this program.

The ATP works, Mr. Chairman, and it would be a shame for us to lose it. This body should oppose its elimination.

AMENDMENT OFFERED BY MR. TERRY

Mr. TERRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TERRY:

Page 53, line 26, after the dollar amount insert "(reduced by \$3,000,000)".

Page 54, line 12, after the dollar amount insert "(reduced by \$3,000,000)".

Page 54, line 13, after the dollar amount insert "(reduced by \$3,000,000)".

Page 54, line 24, after the dollar amount insert "(reduced by \$3,000,000)".

Page 88, line 3, after the dollar amount insert "(increased by \$2,000,000)".

Mr. TERRY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

□ 1400

Mr. TERRY. Mr. Chairman, I am pleased that my colleague from New York (Mr. ACKERMAN) is a cosponsor of this amendment. We are joined by the gentleman from North Carolina (Mr. JONES) and the gentleman from Georgia (Mr. BARR) and others.

Our amendment addresses a situation that was first brought to my attention by Bruce and Christine Bowen of Omaha, Nebraska. They are parents of two Merchant Marine Academy midshipmen. As one who believes strongly that we must do right by those who serve our country, what they told me and showed me upset me into action. The Terry-Ackerman amendment will help correct a problem that has been lingering for quite some time.

The U.S. Merchant Marine Academy, located in Kings Point, New York, is in desperate need of repair. This 55-year-old academy has been neglected for far too long. The last 5 years it has been funded at roughly \$31 million annually, which is just enough to operate the facility without doing any maintenance. Consequently, a backlog of basic maintenance projects exists, totaling \$20 million. This is unacceptable. Something has to be done.

Let me tell my colleagues how serious the situation is at the Merchant Marine Academy. The lack of maintenance has caused pipes to explode in the library, damaging a collection of rare books. Water pipes are so old that there are signs posted in the building "Lead in Drinking Water." The heating system is so antiquated that the temperature in the rooms is regulated by opening all the doors and windows.

I have some pictures here that illustrate some of what I am saying. Mr. Chairman, the Merchant Marine Academy has become the lost son. All of our other military academies have received or will receive substantial sums of money for new construction or improvements. The U.S. Military Academy at West Point received \$30 million to upgrade its cadet mess hall and will receive \$75 million to build a new gym.

The U.S. Naval Academy will receive \$41 million per year for the next 12 years to upgrade all of its midshipmen dorms. The Merchant Marine Academy is not looking for a new building. It just wants those that it has repaired.

If we demand a commitment of 10 years from the graduates of the academy, we should make sure that they have a learning environment conducive to that commitment.

Mr. Chairman, our amendment will begin the process of returning the Merchant Marine Academy to the level it deserves. The amendment I am offering

now is a modification of the original version. It will provide \$2 million for maintenance at the academy, enough to repair some of those leaky roofs, under the Maritime Administration.

Before concluding, I would like to ask the gentleman from Kentucky (Chairman ROGERS) a question.

It has been the practice of the Maritime Administration to pay for certain overhead expenses of the entire agency, including the academy. There have been proposals to require the academy to pay portions of the overhead costs, which could result in a loss as much as \$1.8 million to the academy.

I understand that the committee intends that all the monies provided to the academy in fiscal year 2000 are to be used for the same functions as was the case in fiscal year 1999. In other words, no additional administrative expenses may be imposed on the academy by the Department of Transportation or Maritime Administration.

I ask the gentleman, am I correct, Mr. Chairman?

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman is correct. It is the intent of the committee that the Maritime Administration will continue to pay certain administrative costs related to the academy in the same fashion as in 1999.

Mr. TERRY. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

Mr. Chairman, in conclusion, I urge support for this amendment.

Mr. ACKERMAN. Mr. Chairman, I rise in support of the amendment.

(Mr. ACKERMAN asked and was given permission to revise and extend his remarks.)

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman from Nebraska (Mr. TERRY) for his strong initiative.

I rise in support of the Terry-Ackerman amendment, which, as we have heard, would add \$2 million for the critical facility maintenance program at the U.S. Merchant Marine Academy, which is located in my district on the north shore of Long Island.

The academy plays a vital role in maintaining the economic and national security of our country and is one of the five Federal Service academies. Kings Point's mission is to train young men and women to serve and to lead in our Merchant Marine, our Armed Forces, and in the transportation field.

In times of peace, these Merchant Mariners contribute to our international trading prosperity. In times of war, it is the Merchant Mariners who enable our country to move troops and materiel anywhere, anytime.

Despite rising costs over the years, the funding has remained nearly static for each of the last 5 years. The result of this level of funding is a real dollar budget cut for Kings Point. The 55-year-old infrastructure is in need of millions of dollars of capital maintenance repair projects.

Included in these projects are barracks renovation, Y2K compliance requirements, maintenance of the 220-foot training vessel, the King's Pointer, instructional technology and training requirements, and improvements in waterfront renovation.

Congress has already recognized the need for additional funds for the Merchant Marine Academy. In their report for the Defense Authorization Bill for fiscal year 1999, the House Committee on Armed Services said that they are "concerned about the deteriorating material condition of the physical plant of the midshipmen barracks at the Merchant Marine Academy."

They go on to say, "The plant is antiquated and in need of replacement before it becomes a health and safety concern to the midshipmen and the staff."

It is to this facility, Mr. Chairman, that, as Members of Congress, we nominate some of the finest young men and women so that they might study and become graduates of the academy. We must work to ensure that the academy is safe and conducive to this training.

This funding for fiscal year 2000 will help it achieve this goal so that the U.S. Merchant Marine Academy can achieve their mission of providing our country with the highest quality Merchant Marine officers.

I ask all of our colleagues to join with us in supporting this critical amendment.

Mr. BATEMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the chairman of the panel that authorizes the funding for the Maritime Administration and under it the Merchant Marine Academy, I rise in strong support of the amendment offered by the gentleman from Nebraska.

The Merchant Marine Academy is one of the most distinguished higher educational institutions in America. If we rated it in keeping with the outstanding record of its graduates, it would be in the top 15 colleges or universities of America. It is truly an outstanding institution.

It also is in outstanding need of long-deferred maintenance that this amendment, at least, will contribute toward.

My panel authorized a \$7-million increase for maintenance at the Merchant Marine Academy. But I understand that the distinguished chairman of the subcommittee that handles this in the appropriations has not had the funding that he could do that.

I appreciate that which I understand he is willing to do to contribute toward a building on this badly needed maintenance program. I can only tell my colleague and forewarn him that in the next budget submission we will see larger sums because this only begins to address a need that is clearly identifiable and must be addressed. It has been neglected too long.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman. It is true that the Merchant Marine Academy has in so many ways been totally forgotten, and the description and presentation of the gentleman shows the problem.

So I just want to, very briefly, be supportive of the amendment but at the same time remind us that we would accomplish helping the Merchant Marine Academy by cutting some funds from NOAA. So I would hope that, in the process that continues here as we go on to conference, we can find the monies to make up the changes that we have made. But I rise in strong support of the amendment and hope it can be approved.

Mr. ROGERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate that the gentleman from Nebraska (Mr. TERRY) has worked with us and the Committee on Resources in proposing this amendment.

I also continue to hear from alumni and families of current students at the academy about the dire state of the facilities there. I believe this amendment will help to address that problem, particularly to improve the living conditions of the midshipmen.

I have no objection to the amendment and support its adoption and commend the gentleman for his fine work.

Mr. WU. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in opposition of the Terry amendment. While I applaud the gentleman's effort for attempting to increase funding for the Merchant Marine Academy, the offsets that the gentleman has proposed will be devastating to an already depleted National Marine Fishery Service budget and thus devastating to America's rural fishermen.

Like farmers, fishermen are a cornerstone of our country's cultural heritage as well as our economy. The U.S. commercial and recreational fishing industries generate more than \$25 billion to our economy and employ approximately 300,000 men and women per year.

As important as they are to our economy, many fishermen in my district and in the Northwest are going through difficult times. Stocks are minimal and harvest is declining. Rural fishermen in my district, especially in towns like Astoria, Warrenton, Hammond and Clatskanie are going through a difficult transition period as we work to rebuild depleted stocks of salmon and steelhead. Their livelihood depends on what they yield from the rivers and oceans.

As a country, we have recognized that through a variety of different causes, the fish that these fishermen harvest are threatened to the point of extinction. We have committed desperately needed resources to help restore salmon runs and trout populations. By cutting the NMFS budget further, we are underfunding fishermen in my state and all over the country.

The National Marine Fishery Service works with state and local entities to ensure the stability and restoration of our ecosystem. An additional \$14 million cut to the NMFS budget,

beyond the \$27 million already cut in the bill, would significantly reduce the agency's already compromised ability to fulfill its congressional mandates to conserve and rebuild our nation's valuable marine fisheries and marine resources. Not funding NMFS at adequate levels is equal to an unfunded mandate.

We have heard the rhetoric of this country's commitment to rural Americans, and yet this is one more attack on rural America. These rural fishermen depend on the harvest they get from their nets and depend on NMFS to ensure that there will be a harvest for their children. The monitoring of fish stocks that NMFS oversees is helpful in two ways: one, if the stocks are improving, fishermen are made aware and harvest will increase; two, if the stocks are collapsing, fishermen are made aware and harvest will decrease, so that the remaining fish are saved.

The gentleman's amendment strikes at the very heart of NMFS ability to help endangered and threatened species recover. A 15% cut in conservation and management programs and a 20% cut in endangered species recovery programs would gut much needed assistance to rural farmers.

I urge my colleagues to join with me in voting against the Terry amendment.

Mr. ROGERS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$480,720,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously made available in the "Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$4,000,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

PROMOTE AND DEVELOP FISHERY PRODUCTS AND RESEARCH PERTAINING TO AMERICAN FISHERIES

FISHERIES PROMOTIONAL FUND

(RESCISSION)

All unobligated balances available in the Fisheries Promotional Fund are rescinded: *Provided*, That all obligated balances are transferred to the "Operations, Research, and Facilities" account.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$953,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), and the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), and the Amer-

ican Fisheries Promotion Act (Public Law 96-561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$189,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, \$238,000, as authorized by the Merchant Marine Act of 1936, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$30,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$22,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses authorized by section 8501 of title 5, United States Code, for services performed by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the decennial censuses of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. (a) Should legislation be enacted to dismantle or reorganize the Department

of Commerce, or any portion thereof, the Secretary of Commerce, no later than 90 days thereafter, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a plan for transferring funds provided in this Act to the appropriate successor organizations: *Provided*, That the plan shall include a proposal for transferring or rescinding funds appropriated herein for agencies or programs terminated under such legislation: *Provided further*, That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce, or any portion thereof, to cover the costs of actions relating to the abolishment, reorganization, or transfer of functions and any related personnel action, including voluntary separation incentives if authorized by such legislation: *Provided*, That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 208. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 209. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: *Provided further*, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further*, That such fund shall provide services on a competitive basis: *Provided further*, That an amount not to exceed

4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2000 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of Department financial management, ADP, and other support systems: *Provided further*, That such amounts retained in the fund for fiscal year 2000 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: *Provided further*, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: *Provided further*, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103-356.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2000".

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$35,041,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$6,872,000, of which \$3,971,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$16,101,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and 8 judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$11,804,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular ac-

tive service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$2,934,138,000 (including the purchase of firearms and ammunition); of which not to exceed \$13,454,000 shall remain available until expended for space alteration projects; and of which not to exceed \$10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,138,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

In addition, for activities of the Federal Judiciary as authorized by law, \$156,539,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103-322, and sections 818 and 823 of Public Law 104-132.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), \$361,548,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

In addition, for activities of the Federal Judiciary as authorized by law, \$26,247,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 19001(a) of Public Law 103-322, and sections 818 and 823 of Public Law 104-132.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$63,400,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar ac-

tivities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$190,029,000, of which not to exceed \$10,000,000 shall remain available until expended for security systems, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$54,500,000, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$17,716,000; of which \$1,800,000 shall remain available through September 30, 2001, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$29,500,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$8,000,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$2,200,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$8,500,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States

Courts in the capacity as Secretary of the Judicial Conference.

This title may be cited as the "Judiciary Appropriations Act, 2000".

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is an amendment pending to this title in the bill. The offeror is on his way to the floor as we speak, and I did not want to let this title pass without the gentleman being able to offer his amendment.

I am wondering if we can secure unanimous consent that when the gentleman from Florida (Mr. STEARNS) arrives on the floor he would be able to offer his amendment out of turn.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. SERRANO. Mr. Chairman, reserving the right to object, I am trying just to find out what the gentleman from Kentucky (Mr. ROGERS) is trying to accomplish.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman from Florida (Mr. STEARNS) is preparing to offer an amendment to this title. We moved rather swiftly on the preceding matters, and he is on his way to the floor as we speak. I am hoping that we could be able to proceed and do his amendment, even out of turn, when he arrives.

Mr. SERRANO. Mr. Chairman, reclaiming my time, I ask the gentleman, when do we expect the gentleman to be here?

Mr. ROGERS. Mr. Chairman, if the gentleman will continue to yield, I am told momentarily.

Mr. SERRANO. Mr. Chairman, I have no objection, and I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read, as follows:

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended, the Mutual Educational Exchange Act of 1961, as amended,

and the United States Information and Educational Exchange Act of 1948, as amended, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of such Act; expenses authorized by section 9 of the Act of August 31, 1964, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized by the Arms Control and Disarmament Act of September 26, 1961, as amended; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$2,482,825,000: *Provided*, That, of the amount made available under this heading, not to exceed \$4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That of the amount made available under this heading, \$306,057,000 shall be available only for public diplomacy international information programs: *Provided further*, That of the amount made available under this heading, not to exceed \$1,162,000 shall be available for transfer to the Presidential Advisory Commission on Holocaust Assets in the United States: *Provided further*, That any amount transferred pursuant to the previous proviso shall not result in a total amount transferred to the Commission from all Federal sources that exceeds the authorized amount: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$267,000,000 of offsetting collections derived from fees collected under the authority of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) during fiscal year 2000 shall be retained and used for authorized expenses in this appropriation and shall remain available until expended: *Provided further*, That any fees received in excess of \$267,000,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

In addition, not to exceed \$1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553), as amended; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs, and from fees from educational advising and counseling, and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

In addition, for the costs of worldwide security upgrades, \$254,000,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$80,000,000, to remain available until expended, as authorized in Public

Law 103-236: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$28,495,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96-465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977, as amended (91 Stat. 1636), \$175,000,000, to remain available until expended as authorized by section 105 of such Act of 1961 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and educational advising and counseling programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e).

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), \$4,350,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,100,000, to remain available until September 30, 2001.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), preserving, maintaining, repairing, and planning for, buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Main State Building, and carrying out the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), \$403,561,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, \$313,617,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), and as authorized by section 804(3) of the United States Information and Educational Exchange Act of 1948, as amended, \$5,500,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$593,000, as authorized by section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8, \$14,750,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$128,541,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$842,937,000: *Provided*, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That, of the funds appropriated in this paragraph, \$100,000,000 may be made available only on a semi-annual basis pursuant to a certification by the Secretary of State on a semi-annual basis, that the United Nations has taken no action during the preceding 6 months to increase funding for any United Nations program without identifying an offsetting decrease during that 6-month period elsewhere in the United Nations budget and cause the United Nations to exceed either the reform budget for the biennium 1998-1999 of \$2,533,000,000 or a zero nominal growth budget for the biennium 2000-2001: *Provided further*, That funds appropriated under this paragraph may be obligated and expended to pay the full U.S. assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$200,000,000: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served,

and the planned exit strategy; and (2) a re-programming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

ARREARAGE PAYMENTS

For an additional amount for payment of arrearages to meet obligations of authorized membership in international multilateral organizations, and to pay assessed expenses of international peacekeeping activities, \$244,000,000, to remain available until expended: *Provided*, That none of the funds appropriated or otherwise made available under this heading for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of an Act that makes payment of arrearages contingent upon United Nations reform: *Provided further*, That none of the funds appropriated or otherwise made available under this heading for payment of arrearages may be obligated or expended until such time as the share of the total of all assessed contributions for any designated specialized agency of the United Nations does not exceed 22 percent for any single member of the agency, and the designated specialized agencies have achieved zero nominal growth in their biennium budgets for 2000-2001 from the 1998-1999 biennium budget levels of the respective agencies: *Provided further*, That not to exceed \$107,000,000, which is owed by the United Nations to the United States as a reimbursement, including any reimbursement under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945, that was owed to the United States before the date of enactment of this Act shall be applied or used, without fiscal year limitations, to reduce any amount owed by the United States to the United Nations, except that any such reduction pursuant to the authority in this paragraph shall not be made unless expressly authorized by the enactment of an Act that makes payment of arrearages contingent upon United Nations reform.

AMENDMENT NO. 8 OFFERED BY MR. HALL OF OHIO

Mr. HALL of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 Offered by Mr. HALL of Ohio:

In title IV, under DEPARTMENT OF STATE, ARREARAGE PAYMENTS, strike the first proviso.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

□ 1415

Mr. HALL of Ohio. Mr. Chairman, my amendment is a very straightforward amendment. It removes the requirement that the \$244 million in the bill

for paying our U.N. arrearages be subject to an authorization. My amendment does not change the reforms in this bill which the U.N. must meet before receiving the money. I want to repeat that again. This amendment does not change the reforms in the bill.

The U.S. owes the U.N. around \$1 billion. I find it embarrassing that the world's only superpower is the U.N.'s biggest deadbeat. We have a legal obligation and I believe that great nations should pay their bills.

Do not just take my word. Here is what seven former U.S. Secretaries of State have said. In a letter earlier this year to House and Senate leaders, former Secretaries Henry Kissinger, Alexander Haig, James Baker, Warren Christopher, Cyrus Vance, George Shultz, and Lawrence Eagleburger said:

Our great nation is squandering its moral authority, leadership, and influence in the world. It's simply unacceptable that the richest nation on earth is also the biggest debtor to the United Nations.

As a pro-life Democrat, I oppose linking payment of U.N. back dues to the Mexico City restrictions. These are different issues which need to be considered separately. When we link abortion with U.N. arrears, in my opinion, we take a moral issue and we twist it to serve other purposes. We try to make it fit where it does not belong.

Mr. Chairman, the American people support the work of the United Nations and they want us to pay the dues that we owe. Polls show that 70 percent have a favorable opinion of the United Nations and 80 percent of Americans, 80 percent of American voters, oppose linking provisions related to abortion policy.

Now is not the time to move the goal post. It is time to quit making excuses. It is time to do the right thing. It is time for Congress to keep its word and pay our dues.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment. I agree with the gentleman that this country should pay the amounts that we owe to the U.N. and other international organizations, but we cannot do so at the cost of abandoning the progress made on reforms at U.N. From the beginning, our approach has been to provide the arrearages only upon the achievement of real and substantial reforms.

Over the past 2 years, we have made available a total of \$575 million for arrears. That funding remains available, pending authorization. It has been this subcommittee's position for many years now, under bipartisan leadership, that the United Nations needs to reform. We are after a more effective United Nations. We think that only by reforming the bureaucracy, streamlining the processes at the U.N., only then can we achieve an effective United Nations. That has been the policy goal of this subcommittee and of this Congress, both bodies. That drive for U.N. reform continues even today. Thus, we have conditioned the payment of the arrearages upon effective,

real reform at the U.N. I must say it is working. There are achievements that we can point to at the United Nations that we can be proud of in reforming the process, in streamlining the way they do business, in cutting unnecessary and wasteful costs.

The bill provides the final installment of \$351 million to arrive at a total of \$926 million in arrearages, the full amount that has been agreed to by the administration in the pending authorization.

The reforms that have taken place thus far at the U.N., as I say, have been due in large part to the fact that this subcommittee, the Committee on International Relations of the House, and of the Congress, because we have insisted on these reforms just as we continue to do in this bill.

Reform has been a priority of this Member since I have been chairman of this subcommittee and, like it or not, the only leverage that we have to ensure that these reforms take place is by making them a condition of arrearage payments. We have deferred to the authorization committee as is the rules of the House. And we defer to the authorization committee in this bill with this very language, making the payment subject to authorization. I think that is the appropriate way to handle this matter, just as it is the appropriate way to handle all matters. The Committee on Appropriations, of course, defers to the authorizing committees of the House except where they are in consent for some change that they would like in the appropriations bill.

The pending authorization bill passed by the Senate reflects that. It sets out an extensive series of necessary reforms, including reducing the U.S. share of assessments and maintaining a zero nominal growth budget, that is, a freeze. The rates of assessments that are being paid to the U.N. are based on 1945 standards. I submit to the Chair that the condition of the nations that make up the U.N. have changed dramatically in that period of 50-plus years. There are new world economic powers that did not exist at that time, i.e., Japan, Germany, and, yes, even China, to name a few. Yet the assessment level has not changed in all that time.

Mr. Chairman, it is time that we achieved a change, a reduction, in the rate of payment that the U.S. has to pay to support the U.N. It is a modest change, from 25 percent down to 22. I would like to see 20. But, nevertheless, it is a substantial change.

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. ROGERS) has expired.

(By unanimous consent, Mr. ROGERS was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, these reforms are essential and we should all insist upon them as our responsibility to the U.S. taxpayer, and the Congress has gone along with our recommendations for the last several years.

The gentleman's amendment would give an unauthorized \$244 million to the U.N., and send the signal to the U.N. and the rest of the world that we are no longer committed to reform. That is exactly the wrong message that we should be sending.

I urge rejection of the gentleman's amendment.

Mr. SERRANO. Mr. Chairman, I rise in strong support of the gentleman from Ohio's amendment. First of all let me say that I congratulated the gentleman from Kentucky, and I do once again, for taking serious steps to deal with this issue. I continue to ask him to do even more in conference and in the future to make sure that we pay our bills. But I do not want the gentleman to think that our support of this amendment does not salute and compliment the fact that he has tried to pay our bills. It is the fact that we are paying our bills in a very strange way, by dealing with issues that are not related to the fact that we have to pay our bills. That is the problem.

The problem, as the gentleman from Ohio has well stated, is that we run the risk of losing our vote and our membership in the U.N., our vote in certain parts of the U.N. and our membership in certain world organizations related to the U.N., if we do not pay our dues. We should really be very careful here today to understand that those of us who rise in support, in strong support, of the Hall amendment are not doing it because we want to somehow stop our involvement in the U.N. On the contrary. It is those who attach riders to this issue who may want to find this as an excuse to tie up our involvement in the U.N. We want our involvement to continue. We want the U.N. to reform.

Please understand that the moneys that we have approved in the past and that are pending now speak to reform at the U.N. But we cannot be asking for reform at the U.N. and then behaving in somewhat of a childish way in suggesting that whatever dollars go to pay our dues, not extra dollars we are giving them for something else but dollars that go to pay our dues, have to be based on whether or not they will do things that nobody else in the world agrees with us on. It is totally improper to do that.

I would hope that as we look at the gentleman from Ohio's amendment, we fully realize what is at stake here. If the U.S. does not pay its arrears to the U.N. in the 106th Congress or approve payment of our fiscal year 2000 dues without strings and conditions in the U.N., we could lose our General Assembly vote by January of 2000. I do not think anyone has really paid attention to that. I mean, the thought of us losing our vote by January of 2000 at the U.N. is something that no one should be planning to do.

We keep calling on the U.N. to participate with us in some missions, that not everybody, by the way, agrees with, but we keep calling on the U.N. to participate, to support us, to be a

partner, and at the same time we continue to say that we will run the risk of not being a full-fledged member.

I would hope, and I will close with this, I do not want to take too much time, that we separate the fact that the gentleman from Kentucky in my opinion has done a very good job at making sure that we move forward on this issue from the fact that as we move forward to pay up part, or all of it, it should never be linked to anything else.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I think it is important for us to note at this early stage of this discussion, there are actually two different types of conditions, if you will, that we are talking about the appropriation being subject to: One is the population control matter that is in the authorization process. The other is other types of reform of the operation of the U.N. that are unrelated to that population control matter. There is a whole series of those conditions for reform, such as reduction of the U.S. rate of assessment to 22 percent, such as guaranteeing a frozen budget in the out years, and various other procedural conditions that are in the authorization process. I want us to be sure we understand there are two different types of conditions that are being attached to the appropriation. One is the population control matter. The other are procedural reforms at the U.N. that I think most all of us would agree with.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, if I could respond to the gentleman's comments. The assertion that the Hall amendment eliminates the reforms that this committee is pressing forward with is totally, absolutely false and misinformed. The Hall amendment eliminates lines 8 through 18 in the bill on page 80. That is only the language that refers to the requirement for authorization.

It leaves in place the following language:

None of the funds appropriated or otherwise made available under this heading for payment of arrearages may be obligated or expended until such time as the share of the total of all assessed contributions for any designated specialized agency of the U.N. does not exceed 22 percent for any single member of the agency.

The CHAIRMAN. The time of the gentleman from New York (Mr. SERRANO) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. SERRANO was allowed to proceed for 2 additional minutes.)

Mr. OBEY. I am continuing to read:

And the agencies have achieved zero nominal growth in their biennium budgets for 2000-2001 from the 1998-1999 biennium budget levels of the respective agencies.

That makes it clear. Those reforms stay in place. What the gentleman from Ohio is trying to do is to simply get us out of the business of being a deadbeat because he understands that we have more leverage, not less, if we paid our bills. The fact that we have not paid our bills has already cost us \$100 million because since we had not paid our bills we were not able to convince the U.N. to lower our percentage payments for the shared cost of those programs.

□ 1430

So if my colleagues are interested in saving the taxpayers' dollars, pass the amendment offered by the gentleman from Ohio (Mr. HALL). If they are interested in keeping the reforms in place for the U.N., pass the Hall amendment. Let us not confuse the facts.

Mr. SERRANO. Reclaiming my time, Mr. Chairman, I think that the gentleman's point has to be clear to everyone. That on which we agree on, the reforms stay in place under the Hall amendment. It is that which has been used as an excuse for us not to pay our dues and to get into areas we should not be involved in that he strikes, and that is important to note.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

I would say to my friend I rise against the Hall amendment, and I will give my colleagues a few reasons, and I think even some of my colleagues on the other side of the issue would agree.

First of all, I have got the two absolute best daughters in this body; but when they are bad, I do not reward them, but when they are good, I give them an incentive; and when we are talking about the reforms, these long overdue reforms, they have had years to do this, and they will not do it.

The U.N. needs the United States when we are talking about losing a vote. We pay the lion's share; with all the different countries in there, we pay the lion's share. We only get one vote, and the U.N. votes against the United States the majority of time because we only get one vote; and as my colleagues know, the other Communist countries are in there that always put us down.

Let me give my colleagues a couple of examples of the U.N. In Somalia we lost 18 rangers because U.N. troops had armor there. India, for example, had T-64 tanks. They would not commit them. This was when butt Butros Butros Gahlí was there. Our own President denied armor, and so there was none for these troops; and under U.N. leadership in control of our troops, we lost a bunch of people.

Second example. Some of my colleagues may remember when we bombed Iraq for the first time. Neither the President nor the Vice President nor the Secretary of Defense knew that the United States had gone to war. Our troops are bombing, but yet not even our President knew that we were in a war time, and I think that is wrong.

It is not just the U.N.; it is the other organizations as well. For example,

NATO. Can we afford still that every conflict that we get into with NATO for us to pay for 86 percent of the sorties of the flights and to pay for 90 percent of the weapons dropped? I think we need a reorganization in NATO. Either they need to upgrade their capability, or they need to pay the United States. Our next supplemental ought to be a check.

In the U.N. just the cash is counted. When we deploy troops, when we have our carriers, when we have our assets there, none of that is counted against our 22 percent. I think that is wrong, and when they make those concessions, then I am willing to help my colleagues, but I think that gives a good incentive first to do that, and I think the way that we do it now is wrong.

If we look at the U.N. members, the limousines, let them stay in the Quality Inn. But do they? No. One was quoted: "No, we deserve to stay in the Ritz because it is to the standing of a U.N. member." Well, I beg to disagree.

So those kinds of reforms, I think, Mr. Chairman, are very, very valuable before, and we pay our arrears, and I am opposed to the gentleman's amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to put this in hard-headed Midwestern terms. I do not believe that anybody in this House should vote to spend one dime on the United Nations if they think it is to help the United Nations or to help somebody else. We are supposed to be defending taxpayers' money, and what I would say to my colleagues is: "Don't contribute to the United Nations unless you think that those contributions are helping our own country and helping us defend our own national interests," and they most certainly are.

What are the funds supposed to be spent for that the gentleman is talking about? He is talking about money that has been withheld from the World Health Organization. What does that agency do? It is helping to eradicate polio around the world. One of its responsibilities is to try to deal with one of the most dangerous items known to man, ebola, which causes wretched epidemics whenever it breaks out. In a world of instant transportation, the United States can just as easily be the victim of that as some African or European country. We need to eradicate worldwide diseases not just because we are trying to help somebody else, but because we are trying to defend our own populations from those kinds of diseases.

Those funds are also supposed to be going to the Food and Agriculture Organization to address global famine conditions. Now, if my colleagues do not think that it is in the American national interest to eliminate famine, then I invite them to remember what has happened in region after region around the world when economies are destroyed and when agricultural bases are destroyed. What happens is we have

political instability that leads to the rise of governments that are not in our interests, and that often leads to war, and we often get involved in those wars.

We are also holding back funds for the International Labor Organization. That is the agency that is supposed to monitor compliance with child labor laws. We have had fights week after week on this floor about protecting American workers from competition, from goods produced in slave labor conditions or produced by child labor around the world. What the gentleman from Ohio (Mr. HALL) is saying is that we do good for the world, we do good for America, we do good for our own people when we pay our bills and participate fully in an agency that frankly we have far more influence in than any other country in the world. Does anybody really think the United Nations makes any major political decision without the agreement of the United States? Very few that I know.

It just seems to me that it is time to recognize that if we want to save our money, if we want us to be able to negotiate a lower payment rate to the United Nations, if we want to enhance our ability to do tough bargaining at the United Nations, we are in a stronger position if we paid our bills than if we have not. And I would point out if we do not pay our bills, we will lose our U.S. voting rights in the General Assembly eventually.

So I would suggest there are plenty of reasons to listen to the wise counsel of the gentleman from Ohio. We ought to pass this amendment and end this outrageous linkage that occurs when a tiny band of Members each year find one issue that matters to them more than any other, and so they tie up virtually every other issue in this place until they get their way.

Let us have clean, stand-up, up-or-down votes on all of these issues rather than linking them until we are virtually tied like Gulliver because we have got these lilliputian issues that do not allow the Congress to accomplish anything. The gentleman from Ohio is right. He saves taxpayers' money in the long run; he serves the U.S. national interest. We ought to support him.

Mr. ROGERS. Mr. Chairman, I move to strike the requisite number of words.

The gentleman mentioned the WHO debt, the WHO. The WHO arrearage that the gentleman mentioned arose in 1989. It an old bill, and it is a fairly small amount, \$35 million. We pay our annual contribution to the WHO annually. No one disputes that. We are up to date on our annual payments. There is an old arrearage in 1989, \$35 million; that is still in dispute. This arrearage, it is small, it is an old bill, it does not impact current operations. I want to be sure that people understand that the WHO is up to date on our payments, with our annual payments.

Let me try very briefly to try to put in perspective a very complicated matter. For the last 3 years mainly the Senate has been putting conditions on the payment of the arrearages, the so-called Helms-Biden bipartisan compromise on U.N. reform. There are 18 of those reforms signed off by the President. We are all in agreement on this. The President, Helms and Biden in the Senate, and we have deferred to that agreement.

Those conditions for reform, I think most all of us can agree are legitimate and correct, recognizing American sovereignty, one; no taxation by the U.N.; no standing Army by the U.N.; no interest fees by the U.N.; recognition of U.S. real property rights; termination of borrowing authority; the assessed share for U.S. peacekeeping contributions not to exceed 25 percent; limitations on assessed share of regular budget; limitations on the other parts of the budget; inspectors general for certain international organizations; new budget procedures for the U.N.; a sunset policy for certain U.N. programs; U.N. Advisory Committee on Administrative and Budgetary questions; access by the General Accounting Office; personnel rules; reduction in budget authorities to a flat budget; new budget procedures and financial regulations; limitations on the assessed share of the regular budget for the designated specialized agencies of the U.N. and so forth. There are 18 of those conditions; I think we all agree on them.

That is really what we are talking about. The President has agreed, the Senate has agreed, the House has agreed. We are all in agreement on these 18 conditions for reform, and unless and until they are agreed to, the arrearages have been withheld. It is a fairly complicated thing, but it is simple in that respect.

Mr. Chairman, I want us to be sure that we understand where we are. No one wants us to lose our voting rights in the U.N. I do not think we are at that point. We never will be at that point in the Security Council, I will point out to my colleagues, and that is the important place. But I think we all have to understand that in order to achieve these very creditable reforms that the administration and the Congress have agreed upon that we should make our moneys subject to, should be withheld until we see these substantial reforms.

Now the amendment that is pending, if it passes, would say, no, let us forget all of the conditions that we have required before paying these moneys, and let us go ahead and pay the moneys and forget about reform. We have too many years invested, we have too much money invested. More importantly, we have too much of an international stake involved here to let the U.N. continue to be the bureaucratically entrenched organization that it is. We want, I want, a more effective U.N. We need a U.N. We need an effective U.N. It is not effective now,

and I think we all can agree upon that. The only way that we have seen work has been to force change by the withholding of funds, Mr. Chairman, and that is what this debate has been about for these several years.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would just like to ask, why does the gentleman continue to say that this amendment eliminates the conditions when in fact the conditions still remain in the bill. I mean saying something 15 times that is not so does not make it so.

Mr. ROGERS. Reclaiming my time, Mr. Chairman, our bill that is on the floor only contains two conditions. The authorization that would be forgiven by this amendment contains 18. The two conditions that are in the appropriation bill occur at page 80, and I quote Line 18:

None of the funds appropriated or otherwise made available under this heading may be obligated or expended until such time as the share of the total of all assessed contributions for any designated specialized agency of the U.N. does not exceed 22 percent for any single member of the agency, and the designated specialized agencies have achieved zero nominal growth in their biennial budgets for 2000/2001 from the 1998/1999 levels.

Those apply to three international organizations other than the U.N.

□ 1445

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. ROGERS) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. ROGERS was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, in the interests of time, I would ask the gentleman one additional question: Why should we continue to allow appropriation bills to get bogged down by authorization issues? When is the last time the authorization committee has been able to pass their legislation, except for the year when they were able to attach it to the Committee on Appropriations? The answer is 1994. On the foreign aid bill, that committee has gone over 10 years without being able to pass a foreign aid bill. Why on Earth should we allow a committee that can never get its own work done to interfere in our ability to get our work done?

Mr. ROGERS. Mr. Chairman, reclaiming my time, the gentleman will have to change the rules of the House. The Committee on Appropriations works subject to the authorization committees. We appropriate, they pass laws. I am still of the belief that the House rules should prevail.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, just so my colleagues may know, I chair the Subcommittee on International Operations and Human Rights of the Committee on International Relations, and the gentleman from Wisconsin was incorrect. Last Congress, the 105th Congress, we passed and sent to the President, he said when did we last passed one, we had a conference report, it went down to the President, on State Department, it included reform, it included arrearages, \$926 million for arrearages with very strong conditions and a very, very compromised Mexico City policy. Regrettably, the President vetoed that bill.

This issue of arrearages would not be before this body except for the appropriations amount that the gentleman from Kentucky, the chairman, has put into his bill. We had all of these conditions, but the President chose to veto that bill. That is unfortunate. Our hope is to take another shot at it.

We are now going to conference soon, it is already staff-to-staff, to try to work out this arrearage language that has been passed by Senator HELMS and Senator BIDEN working together.

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. ROGERS) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. ROGERS was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, it is nice to have a little exchange, instead of five minute speeches.

Let me simply say in response to my good friend, you do not pass a bill if all you do is get it out of the Congress. The Constitution says that a bill becomes law only when you have agreement between the authorizing committee and the executive branch.

The problem with your committee, very frankly, is it has been so extreme in its positions, it has not been able to pass its bills except when they attach them to appropriation bills. You have not been able to put together a one-car funeral in your own jurisdiction in over 10 years on foreign aid. Yes, we have an authorization in an appropriation process, but that implies that the authorization committee be functional. Yours has demonstrated that it is not.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Just let me point out to my colleagues, and I think they realize this, that the appropriators certainly have an advantage in that they are bringing to the floor must-pass bills. The authorizers almost by definition are disadvantaged because an administration that may not like this provision or that will just say

we will wait for the money to arrive, because it has to arrive to begin the new fiscal year, from the appropriators.

So the honest negotiation that we hope would take place between House, Senate, and the executive branch is largely truncated and precluded precisely because the money in some form, usually less because of the inability or the lack of wanting to deal with us in good faith.

So the gentleman from New York (Mr. GILMAN) has led I think a very, very fine effort as chairman of our full committee, but we are disadvantaged, because, again, it is hard to work out the policy language, when they get their money anyway at the end of the day.

That has not been the case with arrears. We have insisted on very strong, very tight, 15 pages of conditions on the United Nations, 15 single-spaced pages that the Hall amendment would vacate. It makes our bargaining position vis-a-vis the Executive Branch very much disadvantaged, and we want strong reform with regard to the U.N., not weak.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to get back to the basic issue today and rise in strong support of this reasonable amendment to begin to put the United States back in good standing at the United Nations.

When the gentleman from Connecticut (Mr. SHAYS), the gentleman from Iowa (Mr. LEACH), the gentleman from New York (Mr. ENGEL), and I joined in creating the bipartisan Congressional United Nations working group at the beginning of the 105th Congress, we never imagined that we would be here over 2 years later still demanding that the United States pay its arrears to the U.N. It is really extraordinary. But here we are, still outraged, still embarrassed, still trying to get the United States to live up to its commitments.

Let me be very clear. It is outrageous that the United States, the wealthiest country in the world, is the biggest deadbeat at the United Nations.

This amendment is very straightforward. It takes the empty U.N. arrears language in this bill and makes it real. It makes the reforms in the bill real. It makes the \$244 million in arrears payments in the bill real. Quite simply, it removes the smoke and mirrors from the bill and puts us back on the road to acting like the world leader we are.

This funding is critical to United States foreign policy. It shows the international community that a commitment made by the United States means something, and it gives the U.N. the resources it needs to carry on the important work it is doing around the globe.

The United States has a tremendous amount of influence within the U.N.,

but, frankly, that influence is decreasing with every day that we do not pay our arrears. In fact, at the end of this year, as you heard, we face the unimaginable prospect of losing our vote in the General Assembly under the requirements of Article 19.

But this issue goes beyond simple embarrassment. How are we to expect the U.N. to continue to act in our interests around the world? How can we expect them to fund the projects we support, to send peacekeeping troops to areas where we want to see more stability, when we do not pay our debt? How do we expect to reform the U.N., and I agree with my colleagues on the reform measures which are in this bill, and most of them, it is my understanding, remain in this bill if we do not pay our U.N. dues?

As a member of the Committee on Appropriations, I am well aware of the limited resources we have been given to fund our international activities in recent years. I have seen the United States foreign assistance decreased to an almost unimaginable level in the last few years. But in this context, paying our debt to the U.N. is even more important. The U.N. is a cost effective way for us to leverage U.S. funding with that of the other members of the U.N. to make a difference around the world.

I want to reiterate again for my colleagues that what this commonsense amendment does is it essentially removes the language which makes meaningless the arrears section already in the bill because it is tying it to another issue. It leaves in place the reforms included in the bill that caps our future U.N. dues at 22 percent and mandates a zero growth budget for the U.N.

So I want to say to my colleagues once again, too often in this body we cannot pass and there remains a stalemate on issues such as this that are really very important, because we want to tie it, as our ranking member said, to another issue. Let us vote on that other issue as a clean issue. Let us have that vote, up or down.

I respect my colleague from New Jersey. Let us have that vote up or down. But let us not tie paying our U.N. dues to that issue. Let us have that vote cleanly.

So, again, I want to urge my colleagues to support the Hall amendment. Let us pay our U.N. arrears. Let us not be a deadbeat. Let us not tie that payment to other issues where there is some controversy. I would think that the majority of this body wants to stand tall, work together, and pay our U.N. arrears. If there are other controversial issues, let us have that debate, but let us take it as a separate issue, let us have a clean vote on paying our U.N. arrears with the provisions which are included in this bill to reform the U.N.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, we all want to pay U.N. arrears, but we also want to reform the U.N. at the same time. I am opposing this amendment for three reasons: The Hall amendment is the wrong move at the wrong time on the wrong bill.

I commend the distinguished chairman of the Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations, the gentleman from Kentucky (Mr. ROGERS) and his staff for supporting the foreign relations attempts to reform the U.N. and the Committee on International Relations in our efforts to craft a sensible U.N. arrearage and reform package. Until this amendment was offered, we felt we had made considerable progress in finding a bipartisan way to pay our dues and at the same time to reform the United Nations.

I understand the administration may now have backed away from supporting the Helms-Biden compromise, and for that we have deep regrets. I note that the foundation of this reform effort was laid by our counterparts in the Senate, Senator Helms and his ranking Democratic member, Senator Biden. It passed the Senate by an historic vote of 98 to 1. The Helms-Biden U.N. reform package is clearly the way this Congress should go in paying our arrears to the U.N. and at the same time fixing the U.N. Regrettably, the Hall amendment would wipe out that compromise.

The effect of the Hall amendment would be to fork over \$244 million to the U.N. without requiring any new major reform already agreed to by our President. As the chairman of the Committee on International Relations and as a Member representing part of New York, I strongly support paying our U.N. dues, but I do not think we should move ahead by waiving the Helms-Biden compromise. That compromise lays out the plan for strong bipartisan support for the U.N. in years to come. Without it, we will roll back the clock to the bad old days of the U.N.

The reforms in the Helms-Biden compromise reform plan make sense. They require U.N. actions in our Nation to be subordinate to the U.S. Constitution; they deny the authority of the U.N. to levy taxes against our Nation or to keep standing armies; they require inspectors general, budget discipline and access by our own General Accounting Office; and they cut our share of the budget from amounts over 30 percent to 25 percent and below.

These reforms make sense and should not be overturned. I ask the House to defeat this amendment to keep the U.N. reform process on track.

I would also respond to concerns about the linkage between the payment of U.N. arrears and the Mexico City family planning policy. I supported the Campbell-Gilman amendment to fund the UNFPA, without the

gentleman from Ohio's vote, and we won that historic victory. It is clear after that vote that Congress will provide a U.S. contribution to the UNFPA.

I also backed the Greenwood-Gilman compromise amendment on the Mexico City policy, also without the support of the gentleman from Ohio. That amendment prevailed in another historic vote that showed we did not have to have the Mexico City policy attached to foreign policy bills in the House.

It is ironic that the gentleman from Ohio fought family planning advocates on those two amendments, and now seeks to override the entire U.N. reform process.

I strongly support family planning and U.N. reform, and I urge defeat of the amendment.

In response to the gentleman from Wisconsin, I would like to note that we are committed to paying our U.N. dues, but the Hall amendment guts the requirement for the authorization bill written by our Committee on International Relations and passed by this House 2 weeks ago. The Senate bill, S. 886, has 18 major U.N. reforms that would not be needed by deleting our authorization requirement. The Senate's authorization bill, which includes the Helms-Biden reforms, does not become must-pass legislation. Without that, these reforms will die.

□ 1500

Accordingly, I urge my colleagues to strongly oppose the Hall amendment.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, does the gentleman understand that the Helms-Biden agreement includes 18 conditions for the payment of the arrearages to the U.N. were agreed to by President Clinton?

Mr. GILMAN. Agreed to by the President and also by the entire Senate.

Mr. ROGERS. Is it also the gentleman's understanding that this amendment would undo all of that agreement?

Mr. GILMAN. The gentleman is precisely correct. That is what we are concerned about.

Mr. ROGERS. Except for the two minor conditions in the bill that we had?

Mr. GILMAN. I thank the gentleman for underscoring that. He is absolutely correct.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the United States has become the deadbeat of the world in its failure to pay its U.N. dues and arrears. I rise in strong support of the Hall amendment, and would like the gentleman from Ohio (Mr. HALL) to respond to the gentleman's presentation.

Mr. HALL of Ohio. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Ohio.

Mr. HALL of Ohio. Mr. Chairman, I want to thank the gentlewoman for yielding to me.

I just want to respond to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

The fact is that the reforms that are in the Committee on Appropriations before us are still in the bill. I do not touch those. I do release \$244 million through this amendment without authorization. The money is already appropriated, so it is not an item that we have to offset.

Secondly, I support the Helms-Biden amendments and the reforms they were trying to do. As a matter of fact, they are still in the legislation that is before us, not this legislation but legislation that passed in 1998 and 1999, because the Helms-Biden amendment and all the reforms are still in that money, which has not been released because it is subject to authorization.

Herein lies the problem. Mr. Chairman, I have been waiting for 3 years and have been patient to have a clean vote on U.N. arrears. I have been hearing the same rhetoric over and over again, that we are going to get a chance, that we are going to get a chance. It is always subject to the authorization.

But the authorization bill never passes. What they do is they hold hostage this debt that we owe. I think it makes us look bad. Great nations pay their bills. We are not paying our bills on this. The reforms are still intact in this bill. The gentleman is wrong when he says that they are not. I strike the provision that says, pay the U.N. arrears; not the full amount, only a downpayment of about \$244 million, which is 25 percent of what we owe.

That is what this really is all about. This is the first time we have ever had a chance to vote on U.N. arrears and have a clean vote. What I have trouble with, and the reason why I have offered this amendment, is I have trouble with the fact that we have very good moral issues here on the floor. Paying U.N. arrears is a moral issue. We owe it, we should pay it.

The issue of pro-life or pro-choice to me, I am a pro-life Member, that is a moral issue to me. But when we take an issue like this and we twist it for our reasons, for political reasons, in a way in which they should not be linked, I think it hurts the whole cause. I think it is not honoring.

That is why I have waited, as a pro-life Member, for a chance to say, these two issues do not belong in the same bill. And in holding the U.N. hostage because of abortion policy, because of the Mexico City policy, that is what it is all about, Members want leverage. What I am trying to do is release money in the fairest way possible.

We are trying to be honorable about this. I think the whole world is looking at us. I know the American people support this. There have been a number of polls, and 80 percent of the American

people, of the American voters, say, pay the dues. That is what this vote is all about, pay the dues.

Mrs. MALONEY of New York. Mr. Chairman, I strongly support the Hall amendment for the reasons he outlined. As the gentleman pointed out, it leaves alone the reforms in the bill. We all support the reforms of the United Nations. It would allow the U.S. to make a long overdue \$244 million downpayment on the \$1 billion that we already owe.

We should pay our dues, our arrears, because it is in America's national interest. If we do not pay our dues without restrictions, without conditions, without riders that are totally unrelated, we could lose our vote in the U.N. General Assembly.

I am very, very privileged to have the U.N. in my district, a body that serves America's interests every single day. It serves to end conflicts by negotiating peace agreements. It serves to prevent nuclear proliferation. It serves to make our children around the world have immunizations against deadly diseases. It serves to alleviate hunger, which the gentleman has been a great leader on in this body by providing relief to some of the world's most desperate areas.

It is just plain good policy to pay what we owe, to strengthen our voice in this important body. And we should not link our dues, our arrears, to foreign policy riders that have absolutely nothing to do with the issue that is before us.

I strongly support the amendment of the gentleman from Ohio (Mr. HALL), and I urge all of our colleagues to support it.

Mr. ARMEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me begin by saying that I do, indeed, have the greatest respect for the sponsor of this amendment. The gentleman from Ohio (Mr. HALL) is a Member of this body who is admired by all of us for his deep convictions and constant and consistent work on behalf of the human rights of all people.

Not only do we respect him for his professional and humane commitment to these matters, but most of us, I say to the gentleman from Ohio, most of us see the gentleman as a good personal friend. It strikes me as one of the really unusual moments here to see the gentleman from Ohio (Mr. HALL) and the gentleman from New Jersey (Mr. SMITH) in such a heartfelt debate on this issue on different sides when one recognizes the acute friendship they have for one another. But that is the way of a legislative body.

Mr. Chairman, on the issue of the United Nations arrears, there are a range of views. We hear them expressed here. At one end there are many people who believe we do not owe any back dues to the U.N. The notion that we do in many people's judgment is based on bad accounting and bad policy.

There are other people in the middle of this spectrum, people like the gentleman from New York (Mr. GILMAN), like the colorful gentleman, Mr. HELMS from North Carolina, like the equally colorful Mr. BIDEN, and even the President of the United States, as represented by his own Secretary of State, who agree that we should provide some additional funds to the U.N., but only in return for commonsense reforms; and I mean basic reforms, such that the U.N. should use Inspectors General, adopt budget discipline, and reduce the American share of its budget to reflect our share of the world economy.

Then, Mr. Chairman, on the other extreme, is this amendment before us today. This amendment expresses the unique proposition that we should give \$244 million of our taxpayers' money to the United Nations without insisting on our reform package. That is \$244 million given with no authorization strings attached to the most bloated and wasteful bureaucracy since Byzantium.

This would be wrong. Even the best friends of the United Nations, and I would count the gentleman from New York (Mr. GILMAN) among them, should oppose this amendment because it denies the Congress of the United States, in conjunction with the presidency, the ability to reform our relationship with the U.N. and make it better and a stronger institution.

There has been some talk about linkages here. We all understand that it is a simple fact that the administration would have a better time getting its request for U.N. funding if it would deal with a variety of other issues.

But let me tell the Members about the linkages issues that we refer to here. I saw an effort last year in the authorization bill agreed upon now by the House and Senate to put some of those linkages in that authorization language, and I saw the distinguished chairman of the Senate, Mr. HELMS, who agreed with the linkages that we refer to, keep them out. Not in this bill, he said. We have worked hard on this bill. We have worked with the House and we have worked in good faith with the administration. I saw Mr. HELMS say, no, we will not put these kinds of linkages in our bill because we are working with the administration.

He honored that relationship, to protect the hard-won gains that they had done between the House and Senate authorizing committees and their relationship with the administration; I thought a deeply honorable thing, albeit for me at the moment, an inconvenient position for the distinguished chairman to take; a position, by the way, that I had rather assertively been reminded of by our own distinguished chairman, the gentleman from New York (Mr. GILMAN).

Now we have this same hardline work, all of these reforms so painstakingly negotiated between the Congress, the House, the other body, the White

House, and the Secretary of State threatened again, threatened again, not this time by the effort to impose linkages into them, but this time by the idea, let us throw them overboard, forget all that work. Let us just give them the money, no strings attached. Forget all that hard work.

I am sure, Mr. Chairman, I am sure after the frankly heroic effort by the distinguished chairman, the gentleman from New York (Mr. GILMAN), and the distinguished efforts of the gentleman from the other body, Mr. HELMS, to keep those linkages out of the commitment as a matter of cordiality with the administration, just a year ago, I am certain, Mr. Chairman, that they would expect that the administration, the Secretary of State, would protect that work, too, by opposing this effort we have on the floor today to throw it over.

That is the story of linkages. Honor is as honor does. Honor should beget honor. The House and Senate chairman honored their working relationship with the administration. They have every right to expect the administration does, to protect that work and oppose this amendment. If they do not, what a shame that there is not such respect for these two chairmen, for their honorable efforts.

What I am suggesting that we do is continue to honor the hard work of our committees, as this Committee on Appropriations has done, and say, as the bill does, the \$244 billion is available subject to authorization. Let us enact those very necessary reforms agreed on by Republican and Democrat leaders alike in the House, in the Senate, in the administration, and then we will, of course, couple, again, the money and the agreement and the reforms, and do this properly.

Mr. Chairman, I just regret the impatience of the gentleman from Ohio (Mr. HALL). I understand his commitments. I understand his devotion. I understand his sense of urgency to make things right. He does that in many ways, and many times we respect and appreciate that.

But not this time, Mr. Chairman. I think the amendment of the gentleman from Ohio (Mr. HALL) is ill-advised. I think it reflects a lack of appreciation for the hard work, the commitment, the reform needed for the security of this Nation within a more secure and effective United Nations, and that work should be honored.

I would hope this House would honor our committees, honor the effort made by the administration, oppose this amendment, and carry forward those reforms that would reflect the will of the American people to have an American association with the United Nations that is honorable and respectful on both sides.

Mr. GEJDENSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are the most powerful Nation on Earth. There has never

been a time in the history of man when there has been one country that has singularly had the power to influence the globe that the United States does today. There is no country in second place.

This Congress, if it continues to play these games with a number of international organizations, we may squander this position of power and hurt future generations.

The argument that process is more important than substance today is a little hard to take. I am the ranking Democrat on the Committee on International Relations. With a little luck and hard work and the sense of the American people, hopefully I will be the next chairman of that committee.

But let me tell the Members something, we have to get the work done. It is a little hard to take as sincere the statement that this is on the level, because it sounds a lot like the number one deadbeat dad in the country telling the kids that the check is in the mail. We have been doing this for a decade. We tie it up over abortion and Mexico City, we tie it up with territorial battles in the Congress between authorizers and appropriators.

Some people hate international organizations. I look at the U.N. and understand that it carries out America's interests, fighting disease, fighting poverty, trying to stop wars. I am not afraid of the United Nations, and I think most of the American people in every poll, in every view, understand it is vital to our interests to be engaged.

□ 1515

My colleagues want to set standards for how it behaves, but they do not want to pay the bill. They keep tying it up in knots time and time again. The deadbeat dad that, for a decade, has been behind on payments says, yes, the check will be in the mail, but you have got to take care of Mexico City. The check will be in the mail, but we have got to get it through the right process in the House. We do not want to offend the House Committee on International Relations. The check is in the mail, but we have all these behavioral modifications we want to see.

We are not going to get the reforms that we want if we do not pay our fair share. We are not going to get the reduction in the rate that we are supposed to pay if we do not pay up. The longer we take to complete this process, the more it is going to cost the American taxpayer.

I close with what I started with. Today, unlike any time in the history of the world, this country, the United States of America, is the most powerful Nation on earth in a manner unequal in history, not the Romans, not the Greeks. No Nation on Earth has this kind of power, this kind of wealth, this kind of influence on every corner of the globe.

We in this Congress, if we continue to be irresponsible in how we fulfill our obligations, we will squander that leadership and come back here a decade

from now seeing conflict arise again, losing our voice in the United Nations, losing our ability to influence the future of this planet for better.

Our children are better situated today than any children in the history of the world. Let us not squander that leadership.

Pay the bill, and we will be able to reform the U.N. and achieve the goals we seek in the world.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just let me make a quick observation on how we got here in terms of the so-called arrearages. If one looks at the aggregate, the \$926 million, a portion of that had to do with legislative policy withholdings. For example, no funds for the implementation for the General Assembly resolution which equated racism equals Zionism; the Kassebaum-Solomon amendment, which withheld 20 percent of U.S. assessed dues to the U.N. and specialized agencies unless those agencies granted voting rights on budgetary matters proportionate to budget contributions by each country. These were important policies, there was nothing frivolous about withholding funds to encourage reform.

In 1994, the House & Senate passed, and the President signed, legislation, best described as burden-sharing legislation that said the U.S. is going to reduce its assessed contribution for peacekeeping from 31 percent down to 25. Since 1996, our contribution has dropped from 31 down to 25. That is one reason why we have such an enormous so-called arrearage at the U.N.

We lowered our subsidy in a way reminiscent of our efforts to get other NATO nations to share more of the defense burden in Western Europe. We took the bull by the horns and lowered US contributions to UN peacekeeping—assessed peacekeeping—down to 25 percent. This talk about the U.S. being a deadbeat is absurd. We pay more than our fair share.

So I must register my very strong opposition to this amendment, offered by the gentleman from Ohio (Mr. HALL), my very good friend. Let me note that I would like nothing better but to put this dispute behind us. But passage of this amendment today would likely make it harder, not easier, to resolve the dispute over U.N. arrearages and especially to get real and meaningful U.N. reform. The Amendment also seeks to delink the connection between the Mexico City policy and arrears. That would be wrong.

We have passed reform legislation in the past. With arguable results. Reform has been spotty at best. So to maximize our reform efforts the appropriations bill before us would effectively advance U.N. reform by making any payment of the disputed arrearages expressly conditional on passage of a separate authorization bill.

The Hall amendment would delete this important requirement so that the

U.N. would get its money without real reform. Yes, the underlying language in the bill would require reduction of dues, to 22 percent.

But most importantly, it says nothing about reducing our share of peacekeeping assessments from 31 to 25 percent. However, the U.S. government has already enacted this reduction—so arrearages may continue to expand unless the U.N. reduces our 25 percent ceiling.

The Hall amendment says nothing about U.N. inspectors general or about corruption, about nepotism, overspending, U.N. taxation, infringements on United States sovereignty, or other issues addressed by the U.N. reform package.

Mr. Chairman, by providing over \$244 million to the U.N. without the careful process of deliberation and negotiation that is necessary for a true dispute resolution, we would seriously undermine and likely defeat the prospects for real reform. We would enable and empower continued bad behavior on the part of the U.N. officials and specialized agencies.

Mr. Chairman, again I want to respond to this spurious accusation that the United States has been a deadbeat in its financial support of the United Nations. Rhetoric like that is particularly embarrassing when it comes from the mouths of the U.S. officials whose job it is to defend our interests, and it does violence to the facts about the relationship between the United States and the U.N.

It would be far more accurate to say that the United States is by far the U.N.'s largest benefactor. Not deadbeat, benefactor—with a capital B.

Consider this in the first 51 years of the U.N.'s existence, the United States paid approximately \$35 billion into the U.N. system and somewhere between \$6 and \$15 billion additional dollars for costs for U.N.-authorized peacekeeping missions. That amount dwarfs the contributions of all other countries in the world.

In fiscal year 1997, for example, the U.S. paid roughly three times more into the U.N. system than Germany. The U.K. donates Five percent, that is all. We are 25 percent dues to 31 percent peacekeeping. We give five times more than France, 35 times more than the People's Republic of China. They are under 1 percent. Time for some burden sharings adjustments it would seem to me.

Last year, Uncle Sam provided \$1.5 billion to the U.N., and \$300 million of that was voluntary not assessed. And we get no credit for that. In most cases we are glad to give it, to advance humanitarian goals that feed, clothe and vaccinate children.

Still Mr. Chairman, many Americans and their representatives are deeply skeptical of some of the U.N.'s work. Some, seeing the waste and the fraud and the abuse that is rampant, some feel that drastic cuts in the U.N. funding are in order.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. SMITH) has expired.

(By unanimous consent, Mr. SMITH was allowed to proceed for 3 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, some believe that the U.N. owes the U.S. for billions of dollars we spent in support of U.N. authorized peacekeeping missions that have been paid by our government, an amount many times larger than the amount that the U.N. claims that we owe.

As a matter of fact, a 1996 GAO report looked at just a few peacekeeping missions, Haiti, the former Yugoslavia, Somalia, and Rwanda, and found that, in just 4 years, from 1992 to 1995, the U.S. Government shelled out \$6.6 billion. None of that \$6.6 billion or any of the other money that has gone for the so-called incremental military costs are reflected anywhere in the computation about what we have donated to the U.N. and has nothing to do with the U.N. arrears debate. We get no credit for it.

If we had all U.S. donations on the table, with absolute transparency, the aggregate of funds that American taxpayers give would make this arrearage fight look frivolous.

Mr. Chairman, let me also point out that some top U.N. officials, got their jobs, not because of their qualifications, but as a form of patronage for member states. That needs reform.

There is no effective inspectors general for the various specialized agencies against waste, fraud, and unethical conduct, no effective protection for whistleblowers, no effective system of personnel evaluation.

The U.N. continues to have major difficulties controlling their own spending. When actual spending exceeds the budget adopted by the General Assembly, nothing happens. It just exceeds the amount.

The U.N. procurement system is almost as scandalous as the personnel and budget systems. There are no requirements of public announcements, and contracts are awarded under dubious and questionable criteria.

All these defects, Mr. Chairman, need to be fixed, and they need to be fixed now. Last year, we made a sincere effort. The foreign relations authorization bill passed by the House and Senate required the U.S. share of dues to be reduced to 20 percent and, importantly, required before we provided this money that it drop from 31 to 25 percent for assessed peacekeeping. Of course this change at the U.N. would comport with U.S. law. Again, remember, we passed the law; it is part of the U.S. Code, that we are not going to pay more than 25.

Among other important reforms, the authorization bill we passed last Congress also contained tough conditions against U.N. attempts to violate U.S. sovereignty, to perhaps raise a standing army, or impose a U.N. tax. All of that is "waived" in the language that Mr. HALL offers today.

Vote "no" on the Hall amendment.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Hall amendment. I come from the old school. I believe that if one wants to do something, one finds a way to do it. If one really does not want to do it, one makes excuses as to why it cannot be done.

We have in this Congress, for the past several years, nitpicked to death our arrearage question involving the United States' dues that are owed to the United Nations. I am embarrassed and ashamed that the United States has not paid its dues, and I am embarrassed and ashamed that we use every other issue as a rationale as to why somehow or other the United States cannot pay its dues.

Everyone here says, oh, yes, we think that the United States will pay its dues and can pay its dues, and we are still in negotiation and still doing this and we are still doing that. But here we are year after year after year after year, and nothing changes.

We have the United Nations working group here, co-chaired by myself and the gentlewoman from New York (Mrs. LOWEY) and the gentleman from Iowa (Mr. LEACH) and the gentleman from Connecticut (Mr. SHAYS). We did not think that month after month, year after year, we would still be fighting for the same thing. So a time has really come for us to put up or shut up.

The United Nations arrearages should not be mixed in with abortion language or Mexico City or any other issue or any of the reforms or any of the things, the negotiations between the Senate and the House. We owe that money, and that money ought to be paid. It is an embarrassment that it is not paid.

Poll after poll has shown that anywhere from two-thirds to three-quarters of the American people support our paying the dues which we owe. Do my colleagues know that every former Secretary of State that is living, Republican and Democratic serving in Republican and Democratic administrations, supports the paying of the U.N. dues? Every one, Republican and Democratic, supports it.

Now, the U.N. has undergone reforms. It needs more reforms. But let us not pretend they have not tried and made great strides in reforming themselves over the past years.

The U.N. has an inspector general. They have reduced their peacekeeping costs substantially. These are all things that we have demanded they do. They have responded. They have had a zero growth now for 6 years. There are 900 positions cut in the United Nations. So they are responding to what we are saying. They ought to respond more.

But as was pointed out by several of my colleagues, will they respond more if we pay our dues, or will they respond more if we do not pay our dues? If we do not pay our dues and we have this arrogant attitude and we are thumbing

our nose at the world body, well, why should they respond to our demands for reform?

But if we are paying what we owe, then we have a right to be influential, and we have a right to say what we feel, and then there will be a response; and there has been a response.

But it seems to me that we cannot talk out of both sides of our mouth. What really upsets me and has not come out in this debate is that there is sort of an underlying feeling amongst many colleagues here, particularly on the other side of the aisle, underlying feelings of hostility towards the United Nations, that somehow the United Nations is there to tell us what to do or to dominate us or not act in the interest of the United States.

□ 1530

I think it is quite the opposite. I think the United Nations does work in the interest of the United States and in the interest of peace throughout the world.

We have seen in crisis after crisis, in incidents such as in Kosovo and in Iraq and all over the world that we can utilize the United Nations to back up United States policy. But are we again in a better position to do that if we do not pay our dues or are we in a better position to have the United Nations back up U.S. foreign policy if we do pay our dues? I think it is quite evident that if we pay our dues we will have more influence in that body.

So I think what the gentleman from Ohio (Mr. HALL) is trying to do, and he is showing the frustration that all of us feel, is that simply the United States ought to pay its dues and this Congress ought to have an up or down vote on the paying of the dues, not mixed into any other issue, not blown away because we are having a fight with the Senate or some people here do not like the administration or some people here feel strongly about other issues. We owe the money, we ought to pay the money.

The United Nations is an important organization, the United States is the leader of the world, and we ought to do what is right. And what is right is to pay our dues, and what is right is for this Congress to unequivocally say let us stop bashing the U.N., let us act like leaders for a change. We are the leaders, we ought to be the leaders, and we ought to pay what we owe. Support the Hall amendment.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Ohio. It is pretty straightforward. I think we have heard all sides about the issue. What it simply does is it strikes some language that is in the bill which requires that funds that are appropriated for U.N. arrears must be authorized before they are disbursed.

The bill's funding includes the third and the last installment on our arrears

payments to the United Nations. However, the U.N. has been unable to receive any of the money which was previously appropriated because it was conditioned, as is the money in this bill, on the passage of an authorization bill which has not passed.

The other body has crafted an agreement with the administration to deal with the question of U.N. reforms and has approved repayment of our arrears by a large margin. But the House has been unable to follow suit because passage of the U.N. authorization has been tied to unrelated issues. It is time that the question of U.N. funding be considered on its merits and not held hostage by other agendas.

Release of these funds is particularly important because we are facing the possibility of losing our vote in the General Assembly. Every living former Secretary of State, including James Baker, Alexander Hague, George Schultz, Henry Kissinger all support repayment of our U.N. arrears.

They support U.N. funding not only because it is a legal obligation but because it serves our national interest in contributing to global peace, prosperity, and security, and because it serves humanitarian interests in assisting refugees, improving human rights, and establishing the rule of law. Our continued failure to honor our obligation threatens our interests by threatening the U.N.'s financial and political viability.

I have great respect for the chairman of the authorizing committee, very great respect, he is my friend, and I do want him to know that I do think that this amendment is appropriate and I urge support for the Hall amendment.

Mr. BOEHLERT. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I thank the gentlewoman for yielding to me.

The United States needs to pay up. That is very basic. Crippling the U.N. by withholding U.S. economic support will not only hurt the reputation of the United States in the world community, but it will make it even more difficult for the U.N. to push forward with needed reforms.

I say needed reforms because, as this debate has brought to the surface, this Congress, on a bipartisan basis, has said quite emphatically that certain reforms are very much in order, not just in the interest of the United States but in the interest of the long-term effectiveness of the United Nations.

Personally, I do not think we hear enough about the U.N. successes: The feeding of over 50 million people last year, the immunization of hundreds of thousands of needy children, reducing the use of ozone depleting substances, and a whole list of very good deeds. Now, more than any other time in history, countries are connected through problems, since many problems today

are global in scope. The U.N. has been the only body to convene all parties to broker agreements on these global issues.

Now, the U.N. has not always succeeded, but its successes have been many, and it has always tried. Issues such as armed conflict resolution, nuclear site inspections, cross-border pollution, crime, drugs, armed trafficking, money laundering, and epidemics, all of which are beyond the capability of any one country or group of countries have been addressed. So much better to be debating these issues in an international forum rather than fighting about them on some distant battlefield.

Mr. Chairman, a strong majority of Americans favor us paying our U.N. dues. They understand that if we belong to an organization and that organization has dues, the obligation is to pay those dues. That is basic. We should heed their wisdom and pass the Hall amendment. The world counts on the U.N., it is time that the U.N. can count on the U.S.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a representative from California, specifically San Francisco, where the U.N. was born, I rise with particular pride today in support of the Hall amendment. In our community, we have a great appreciation for the United Nations and the work that it does. So I rise today to say let us pay our dues to the U.N.; and, in addition to that, let us give the U.N. its due.

It is a great institution. It is capable of helping to solve many problems in the world on a multilateral basis. We have urged the U.N. to put a new leader in and, with U.S. support, that happened; and we still turn our back.

I am pleased as a representative of San Francisco to join my colleagues from New York, where the U.N. is domiciled, in praise of the United Nations and its work. And I am very, very pleased to salute the gentleman from Ohio (Mr. HALL) for his courage and his leadership in bringing this amendment to the floor.

Everyone is making a little sacrifice on this issue so that we can have a big payoff for poor people in the world, for protecting the environment, for promoting the rule of law and human rights and peace throughout the world.

This debate, to me, seems full of contradictions. On the one hand we are told by our colleagues who oppose the U.N. that their objection to U.N. funding was based on concerns about inefficiencies and bureaucracy at the U.N. Those issues have been addressed. Certainly more needs to be done, but we are in the process of improving that. The U.N. has already implemented significant reforms, and the Hall amendment preserves the package of U.N. reforms in the State Department authorization bill.

Another contradiction we hear here is that we need to have more say at the

U.N. But by not paying our dues, we will lose our vote in the General Assembly. I cannot believe that this body, this House of Representatives, would even consider allowing such a step to occur. But, unfortunately, we have done that repeatedly in the past, and there is a real possibility that we will vote that way again this year and lose the vote. Passage of the Hall amendment is a step toward ensuring that Congress takes the right path this year, the path to paying our U.N. arrears.

Now, another contradiction I hear, the distinguished majority leader came to the floor and over and over and over again he said that we must respect the sanctity, or whatever the word he used, of the authorizing committee, or of the committee process. I think that is an excellent idea, and I think that we should start to do it soon, but we must be consistent.

If that was the gentleman's view, I wish he would have stood with us on this floor last week when we did not want the Smith amendment, an authorizing measure, made in order on an appropriations bill to stop the U.N. population funds from going forth without the gag rule. So let us be consistent or else let us not sing as a mantra that we must protect the committee system if we are doing it very selectively.

Another contradiction is that the U.S. must not be the policemen of the world, and we must not bear all the burden of peacekeeping and resolving conflict in the world. And yet we are ready to turn our backs here today, hopefully not, on the institution of multilateralism, the most significant instrument that we have at our disposal to solve the world's problems in a multilateral way, and that means with financial resources, intellectual resources, energy, idealism and the rest.

It was reported that today our ambassador will be sworn in, will be confirmed on the Senate side, Richard Holbrooke. I do not know if I am allowed to say that, Mr. Chairman. When he is confirmed, and our ambassador goes to the U.N., a position of high honor in our country, the ambassador to the U.N., when he goes there, we want him to be able to serve effectively. We want him to be able to hold his head up high, that we have paid our dues and given our due respect to the United Nations for what it does.

So that is why I commend the gentleman from Ohio (Mr. HALL), because I know it is with considerable sacrifice and compromise that he puts this amendment forward. Everyone is making a little sacrifice. I hope we all can so that we can pass the Hall amendment and hold our heads up high at the U.N.

Mrs. KELLY. Mr. Chairman, I rise today in opposition to the amendment offered by the gentleman from Ohio, (Mr. HALL). This amendment would allow the United States to make good on its commitment and pay \$244 mil-

lion in arrearsages to the U.N. Unfortunately, it does so while dismissing the work of a bi-partisan, bi-cameral coalition which has worked together with the Administration, as well as the Secretary of State, to achieve broad agreement as to the reforms that need to be made in the U.N. so that the U.S. and its citizens can continue to work with the U.N. in good faith.

The Appropriations Subcommittee on Commerce, Justice and State, under the leadership of Chairman ROGERS, has brought forth a bill that includes two very responsible reforms dealing with the U.N. budget. Additionally, the Subcommittee in their wisdom, also made the payment of the \$244 million in arrears, contingent upon authorization language by the House Committee on International Relations. Currently, the House is in Conference with the Other Body to reconcile the differences between the two authorization vehicles. It is important that the Conferees are able to continue their bi-partisan, bi-cameral workings on this legislation. It is expected that this Conference will be addressing the need for U.N. reforms, as well as the need to pay our arrearsages.

Mr. Chairman, this amendment prematurely seeks to address the concern that the arrearsages will not be authorized. The Other Body has worked with the Administration and the Executive Agencies to ensure that all parties are in agreement about the conditions to which we appropriate these monies for the U.N. I will vote against this amendment to preserve the agreement made by these groups. I firmly believe that we must live up to our obligations and pay our U.N. debts, but I want to be clear. I believe the best way to do this is to allow the Conferees to complete their consideration of these measures and not legislate this matter on an appropriations bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HALL).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HALL of Ohio. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 206, noes 221, not voting 7, as follows:

[Roll No. 380]

AYES—206

Abercrombie	Blumenauer	Clement
Ackerman	Boehert	Clyburn
Allen	Bonior	Condit
Andrews	Borski	Conyers
Baird	Boswell	Cooksey
Baldacci	Boucher	Coyne
Baldwin	Boyd	Cramer
Barrett (WI)	Brady (PA)	Crowley
Bass	Brown (FL)	Cummings
Becerra	Brown (OH)	Davis (FL)
Bentsen	Capps	Davis (IL)
Berkley	Capuano	DeFazio
Berman	Cardin	DeGette
Berry	Carson	Delahunt
Bishop	Clay	DeLauro
Blagojevich	Clayton	Deutsch

Dicks	Klink	Rangel
Dingell	Kucinich	Rivers
Dixon	LaFalce	Rodriguez
Doggett	Lampson	Roemer
Dooley	Larson	Rothman
Doyle	Leach	Roukema
Edwards	Lee	Roybal-Allard
Ehlers	Levin	Rush
Engel	Lewis (GA)	Sabo
Eshoo	Lofgren	Sanchez
Etheridge	Lowey	Sanders
Evans	Luther	Sandlin
Farr	Maloney (CT)	Sawyer
Fattah	Maloney (NY)	Schakowsky
Filner	Markey	Scott
Forbes	Martinez	Serrano
Ford	Matsui	Shays
Frank (MA)	McCarthy (MO)	Sherman
Frelinghuysen	McCarthy (NY)	Sisisky
Frost	McGovern	Skelton
Gejdenson	McKinney	Slaughter
Gephardt	McNulty	Smith (WA)
Gonzalez	Meehan	Snyder
Gordon	Meeks (NY)	Spratt
Green (TX)	Menendez	Stabenow
Greenwood	Millender-	Stark
Gutierrez	McDonald	Stenholm
Hall (OH)	Miller, George	Strickland
Hastings (FL)	Minge	Stupak
Hill (IN)	Mink	Tanner
Hilliard	Moakley	Tauscher
Hinchey	Moore	Thompson (CA)
Hinojosa	Moran (VA)	Thompson (MS)
Hoeffel	Morella	Thurman
Holden	Murtha	Tierney
Holt	Nadler	Towns
Hooley	Napolitano	Turner
Houghton	Neal	Udall (CO)
Hoyer	Oberstar	Udall (NM)
Inslee	Obey	Velazquez
Jackson (IL)	Olver	Vento
Jackson-Lee	Ose	Visclosky
(TX)	Owens	Waters
Jefferson	Pallone	Watt (NC)
Johnson (CT)	Pascarella	Waxman
Johnson, E. B.	Pastor	Weiner
Jones (OH)	Payne	Wexler
Kanjorski	Pelosi	Weygand
Kaptur	Pickett	Wise
Kennedy	Pomeroy	Woolsey
Kildee	Porter	Wu
Kilpatrick	Price (NC)	Wynn
Kind (WI)	Pryce (OH)	
Klecicka	Rahall	

NOES—221

Aderholt	Cubin	Hayworth
Archer	Cunningham	Hefley
Army	Danner	Heger
Bachus	Davis (VA)	Hill (MT)
Baker	Deal	Hilleary
Ballenger	DeLay	Hobson
Barcia	DeMint	Hoekstra
Barr	Diaz-Balart	Horn
Barrett (NE)	Dickey	Hostettler
Bartlett	Doolittle	Hulshof
Barton	Dreier	Hunter
Bateman	Duncan	Hutchinson
Bereuter	Dunn	Hyde
Biggart	Ehrlich	Isakson
Billirakis	Emerson	Istook
Bliley	English	Jenkins
Blunt	Everett	John
Boehner	Ewing	Johnson, Sam
Bonilla	Fletcher	Jones (NC)
Bono	Foley	Kasich
Brady (TX)	Fossella	Kelly
Bryant	Fowler	King (NY)
Burr	Franks (NJ)	Kingston
Burton	Gallegly	Knollenberg
Buyer	Ganske	Kolbe
Callahan	Gekas	Kuykendall
Calvert	Gibbons	LaHood
Camp	Gilcrest	Largent
Campbell	Gillmor	Latham
Canady	Gilman	LaTourette
Cannon	Goode	Lazio
Castle	Goodlatte	Lewis (CA)
Chabot	Goodling	Lewis (KY)
Chambliss	Goss	Linder
Chenoweth	Graham	Lipinski
Coble	Granger	LoBiondo
Coburn	Green (WI)	Lucas (KY)
Collins	Gutknecht	Lucas (OK)
Combest	Hall (TX)	Manzullo
Cook	Hansen	Mascara
Costello	Hastert	McCollum
Cox	Hastings (WA)	McCrery
Crane	Hayes	McHugh

McInnis	Reynolds	Sununu
McIntosh	Riley	Sweeney
McIntyre	Rogan	Talent
McKeon	Rogers	Tancredo
Metcalf	Rohrabacher	Tauzin
Mica	Ros-Lehtinen	Taylor (MS)
Miller (FL)	Royce	Taylor (NC)
Miller, Gary	Ryan (WI)	Terry
Moran (KS)	Ryun (KS)	Thomas
Myrick	Salmon	Thornberry
Nethercutt	Sanford	Thune
Ney	Saxton	Tiahrt
Northup	Scarborough	Toomey
Norwood	Schaffer	Traficant
Nussle	Sensenbrenner	Upton
Ortiz	Sessions	Vitter
Oxley	Shadegg	Walden
Packard	Shaw	Walsh
Paul	Sherwood	Wamp
Pease	Shimkus	Watkins
Peterson (MN)	Shows	Watts (OK)
Petri	Shuster	Weldon (FL)
Phelps	Simpson	Weldon (PA)
Pickering	Skeen	Weller
Pitts	Smith (MI)	Whitfield
Pombo	Smith (NJ)	Wicker
Portman	Smith (TX)	Wilson
Quinn	Souder	Wolf
Radanovich	Spence	Young (AK)
Ramstad	Stearns	Young (FL)
Regula	Stump	

NOT VOTING—7

Billbray	Meek (FL)	Reyes
Lantos	Mollohan	
McDermott	Peterson (PA)	

□ 1603

Messrs. GILCHREST, COBURN, LaTOURETTE, DAVIS of Illinois, and EHRLICH changed their vote from "aye" to "no."

Mr. SHERMAN changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, pursuant to the permission previously granted, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. STEARNS:
On page 72, line 5, strike "\$2,482,825,000" and insert "\$2,482,325,000".

Mr. STEARNS. Mr. Chairman, there are times when Congress must act to protect the interest of individuals, in particular Federal civil servants, who have been unfairly harmed by the actions of the Federal Government. In this instance, the Federal employee is Linda Shenwick.

I had intended to offer an amendment that would have presented the expenditure of the Secretary of State's entertainment account until Linda Shenwick was reinstated, reimbursed and had her personnel files expunged of negative information and evaluations.

Unfortunately, this was difficult under existing House rules for appropriations bills. Therefore, I have drafted an amendment that will reduce the general administration expenses for the Department of State by an amount equal to \$5 million in order to send a message that this body objects to the treatment of an innocent Federal civil servant.

But, Mr. Chairman, I intend to withdraw this amendment after engaging in a colloquy with the gentleman from

Kentucky (Mr. ROGERS) and the gentleman from Indiana (Mr. BURTON).

I would like to commend the gentleman from Kentucky for agreeing to work with us to attempt to defend Linda Shenwick and attempt to have her reinstated. In addition, I would like to encourage the gentleman from Indiana, the chairman of the Committee on Government Reform, to conduct a hearing on how this Federal whistleblower, Linda Shenwick, has been illegally removed from her position, and to create a solution to have her reinstated, reimbursed for her personal expenses, and have her personnel records expunged of negative information.

In the performance of her duties, she came across time and time again evidence of deliberate waste, fraud and abuse in the United Nations. When she began reporting such evidence to her superiors at the start of the Clinton administration, her reports were ignored.

So how has the Clinton administration and the State Department rewarded this stellar career employee? They actually began to hurt her career by threatening her directly with removal from her position, with threats to destroy her financially, and by beginning a process of false accusations and unsatisfactory reviews to harm her personnel files.

She has been unfairly and illegally removed from her Federal position in contradiction to Federal laws to protect civil servants and in contradiction to Federal laws to protect whistleblowers.

It behooves us to concern ourselves with this case and Congress to act now to protect the interests of an exemplary public servant.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. I thank the gentleman for yielding to me.

Let me just say that we have had a number of hearings involving those who are whistle-blowers for various agencies of government. The problem that the gentleman from Florida is talking about is not unique. We had three people before our committee just recently who wanted to testify about reprisals against them because they were telling Congress about waste, fraud, abuse or mistakes made in their agencies and they were threatened with their jobs. Many of them were penalized.

Ms. Shenwick is another example of people being taken to the cross, so to speak, and nailed to it because they are telling Congress about waste, fraud and abuse.

One of the biggest debates we have on this floor is the United Nations. We just had one. For us to chastise somebody who is contacting the Congress about waste, fraud and abuse of taxpayers' money over there borders on the criminal as far as I am concerned. Madeleine Albright and the State Department should be made aware that

we are not going to stand still in this Congress and let people be penalized who are telling Congress about this kind of waste, fraud and abuse. Ms. Shenwick should be vindicated. That is why we are both talking to the chairman of the appropriations subcommittee, the gentleman from Kentucky, to see if something cannot be done.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Kentucky.

Mr. ROGERS. I appreciate the gentleman bringing this case to the attention of the body. I agree with the gentleman that whistle-blowers play a vital role in identifying and eradicating waste, fraud and abuse in government. Also, I agree that such individuals should be protected from reprisals and that we have a responsibility to support them in that respect.

I want to assure the gentleman that we will take a close look at this particular case, and if it is determined that this person has suffered reprisals as a result of making the Congress aware of waste, fraud and abuse at the U.N., we will take appropriate action in conference.

Mr. STEARNS. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

I understand what the three gentlemen who spoke are trying to accomplish, but I just want to say that this is a very serious situation. We spoke about it yesterday. We should speak about it again. First of all, this whole discussion we were having today is really unnecessary because there is at this point the office of special counsel which has been taking evidence from both sides and interviewing witnesses and expects to issue a decision in the near future.

Now, what troubles me about the conversation I just heard and what we heard yesterday, while I am pleased that the gentleman has withdrawn the amendment, I am troubled by the fact that we continue to try to subvert the actions of the special counsel. We should allow those people that we set in law to do the work that they have to do and we should not try to undo that work.

I would hope that the comments that were made yesterday by myself were taken fully for what they meant, and, that is, that I would hope the gentleman would just allow for the process to take its place.

□ 1615

First of all, this young lady has not been determined a whistle-blower yet; that is part of the investigation. So why we are saying what we are saying I do not understand. And lastly, not to take too much time, I will be the first

one to join if I know there has been discrimination or unfairness in any way, shape, or form. But we need for this process to take its due course.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I know the gentleman means that sincerely, and I respect him, but this woman was removed before the investigation was complete. Generally the woman is kept in office, the whistle-blower, while the investigation proceeds, but the investigation started and then removed her, and they have not even completed the investigation.

So I submit that that is not the kind of behavior that I am sure that the gentleman from New York condones.

Mr. SERRANO. I understand, and it is certainly not the kind of behavior that I would condone; and if that is the case, it is part of what we have to look at. That is why I respect the gentleman and I thank him for withdrawing the amendment, but I just want us to make sure that this is an issue that has other people involved and other situations going on, and we should pay attention to that as we pay attention to our intent here.

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the last word.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I rise to express my very deep disappointment that there is no funding for the East-West Center in this appropriations bill. As my colleagues know, several days ago the House debated this matter about funding the East-West Center as well as the North-South Center and the Asia Foundation, and by an overwhelming vote the provisions for funding in the authorization bill were retained, and in the case of the East-West Center, it was funded at \$17.5 million.

The East-West Center is an internationally respected research and educational institution that was based in Hawaii 39 years ago. It was a bipartisan effort by the Eisenhower administration, the Congress, and the center has worked very successfully to improve relations and understanding between the United States and the peoples of Asia and the Pacific region. Presidents from these nations, prime ministers, ambassadors, scholars, people that are in business, in journalism, have traveled from all over the Pacific region to come to study at the East-West Center.

Mr. Chairman, it is not something which we have any proprietary interest as the State of Hawaii. It is a national institution, and it serves more than half of the world's population and has provided some tremendous input to the scholars that come, to those who study, as well as to the country as a whole.

We have very, very important programs ongoing, and to each year face

this situation of no support from the Committee on Appropriations is very, very disturbing.

Mr. Chairman, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE). My colleague and I have worked very hard to try to bring to the awareness of the Members of this House how important this institution is.

Mr. ABERCROMBIE. Mr. Chairman, I see the distinguished members of the Committee on International Relations are here, others who are associated with this bill. Mr. Chairman, I just want to make clear a personal note, if I might, to the other Members.

The East-West Center is a Federally chartered institution. It is not an entity which the gentlewoman from Hawaii (Mrs. MINK) or myself are associated with as Members of Congress per se. It is not an institution of the University of Hawaii or the State of Hawaii.

I was there when it was founded 39 years ago when I was a student at the University of Hawaii. I am well acquainted with many of the alumni, Mr. Chairman, some 40,000 plus.

We just finished today the conference report on the Committee on Armed Services. We have to fund our Armed Services because of our relationships to be prepared to defend the strategic interests of the United States and the Pacific Rim to the tune of billions and billions of dollars. We have 40,000 friends in Asia as a result of their experience at the East-West Center, which happens to be in Hawaii, which is the gateway for the United States of America and to all of Asia and South Asia and the Pacific Rim.

I urge the Chair, and I urge the committee members who will be conference members as they deal with the Senate, to have an open mind based on the facts as I have outlined them and the gentlewoman from Hawaii (Mrs. MINK) has outlined them and based on the fact that the East-West Center is very much in the strategic interests of the United States as a Federally chartered institution and as a catalyst for friendship throughout all of Asia for the United States of America.

Mrs. MINK of Hawaii. Mr. Chairman, the most powerful force of the United States in the Pacific region has always been our ideas, and the East-West Center is a place where these ideas can be shared by the people who will be the future leaders of the Asian Pacific country, and therefore it seems to me that it is so obvious that the national interest is centered in the maintenance and in the increasing of the possibility of the East-West Center to extend its influence over the Asia Pacific area.

So each year when we confront this negative funding from this body, it is very discouraging, and I know that we do rely upon gifts from the Asian Pacific countries and from individual companies, but in every case they set the parameters of how this money is to be spent. We want to give the East-West Center a strong foundation, a

strong basis on which our points of view, our ideas, our philosophy, our political approach, our understanding of democracy can be the center for our existence as an institution; and therefore I would hope that the members of this committee will take that outlook as they meet with the Senate on this matter.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we vote today for or against the appropriation that will pay for the State Department's operating expenses, I would like to draw the attention of my colleagues to an ongoing controversy concerning the State Department's dealings with the Taliban regime that now controls Afghanistan. The Taliban, I remind my colleagues, have been ruling most of Afghanistan with an iron fist. They are competing with the SLORC dictatorship in Burma for the role of the world's largest producer of heroin. They are harboring anti-American terrorists like Osama bin Laden and other murderers who have killed and maimed Americans in attacks like those on American embassies in Africa.

The Taliban fanatical leaders are waging a psychotic war of terror and repression against anything that they deem Western and have singled out women in Afghanistan as the targets of their medieval wrath. In short, they are to women what the Nazis were to Jews in the 1930's. Specifically, they are a monstrous threat to the freedom and well-being of tens of millions of women who live in Muslim countries around the world.

Now here is the kicker. Under the Clinton administration, the Taliban has established control over most of Afghanistan and has wiped out its opposition. Rather than being a force to combat the expansion of the Taliban, it appears that the United States under this administration has acquiesced to Taliban rule and even undermined the resistance to the Taliban. In short, it appears that the United States may have a covert policy of supporting the Taliban.

As a senior member of the Committee on International Relations, I requested documents well over a year ago that would confirm or lay to rest this suspicion about possible U.S. support for the Taliban. I repeatedly requested Assistant Secretary of State Rick Indefurth and other State Department officials formally and informally, officially and unofficially, to provide the documentation.

The chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), joined me in this request. Secretary of State Albright made a commitment to the committee during a hearing that documents would be forthcoming, and that was November of last year. After over a year of stalling and foot dragging, a year of either cover-up or incompetence, the State Department finally turned over a small batch of documents

a couple of weeks ago, and only, by the way only then, after the chairman, Chairman GILMAN, threatened to subpoena.

Mr. Chairman, the paltry packet delivered from the State Department contained for the most part photocopies of newspaper articles about Afghanistan. This arrogance should be noted as we vote for the State Department's budget. This thumbing their noses at Congressional oversight cannot and should not be tolerated. This is an issue of utmost importance, and at this point, Mr. Chairman, I insert into the RECORD a letter that I sent yesterday to Assistant Secretary of State Indefurth:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 1999.

Hon. KARL F. INDEFURTH,
Assistant Secretary of State for South Asian Affairs,
Department of State, Washington, D.C.

DEAR SECRETARY INDEFURTH: After over a year of requesting documents and information concerning the Administration's policies and activities concerning Afghanistan and the Taliban, your office transmitted an envelope with pitifully few documents. Most of those documents were photocopies of newspaper articles. You may think this is funny, Mr. Indefurth. It is an insult to me as a senior member of the International Relations committee, it is an insult to Chairman Gilman who joined me in this request, and it is an affront to the Congress. Your actions suggest a disdain for Congress' oversight responsibility.

Let me again remind you, I have asked for all documents concerning administration policy toward Afghanistan and the Taliban, including cables and diplomatic correspondence with American diplomats engaged in foreign policy initiatives and analysis. Chairman Gilman joined me in that request over six months ago. In November of last year, Secretary Albright promised the Committee that the requested documents would be forthcoming. As far as I am concerned, you are in contempt of Congress in both a legal and personal sense. There is no excuse for the delays and stonewalling instead of providing information requested by a legitimate Congressional oversight committee.

There are only a few explanations for your continued intransigence in meeting this lawful request for documents and information. All of those explanations reflect poorly on you, Secretary Albright and the Administration as a whole. Incompetence may be a reason, raw arrogance may be a reason. However, it is also possible, considering other actions taken by you and the Administration, that what we see is a reflection of a coverup of a covert policy supporting the Taliban in Afghanistan.

Considering the Taliban's assault on human rights, especially those of Afghan women, the charges of a covert policy of support for the Taliban deserved the utmost clarification by your office through the documents I requested. Instead, we've had delay and obfuscation. Taliban's current offensive aimed at destroying the last remnants of resistance to their tyrannical rule, makes your actions even more questionable. This letter will be sent to every member of the International Relations Committee and will be made part of the Congressional Record. Upon return from the Summer break, I will be asking that subpoenas be issued and that pros-

ecution for contempt of Congress be considered.

Sincerely,

DANA ROHRBACHER,
Member of Congress.

At this moment the Taliban are on an offensive that it is attempting to wipe out its last resistance, and that is about 10 percent of the country that now is in the Panjer Valley and that has resisted the Taliban efforts, and that is under a man named Commander Massoud. This is a life and death struggle. Thousands of people are being killed. Unfortunately, the people of Afghanistan who fought so bravely as friends of the United States and helped us end the Cold War, we now have deserted them; and it is possible that we are actually helping their oppressors.

Unfortunately, it appears that the Saudis and the Pakistanis have sent foreign troops into Afghanistan with the acquiescence of the United States. I hope that the people of Afghanistan understand that as this offensive against Massoud and the Panjer Valley goes forward this is their chance to rise up against the Taliban and to win their own freedom, because I am afraid that as long as this administration is in Washington, D.C., that we will not be taking those efforts to support the freedom-loving people of Afghanistan who stood with us against the Soviet Union; and instead it is possible that we have a covert policy of supporting the Taliban control, which would be a monstrous violation of the principles of freedom and justice for all that our country supposedly stands for.

So I would ask my colleagues to pay attention to this, and I would ask the State Department to please provide the documentation that I have been trying and I am asking for for over a year, when the gentleman from New York (Mr. GILMAN) has been asking for it for over a year and not to arrogantly thumb their noses at us by sending us newspaper clippings in response to our request for official documents.

The CHAIRMAN. If there are no further amendments to this section, the Clerk will read.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of title IV be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the remainder of title IV is as follows:

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$19,551,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$5,750,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$5,733,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$14,549,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101-246, \$8,000,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2000, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2000, to remain available until expended.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$31,000,000 to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized by the United States Information and Education Exchange Act of 1948, as amended,

the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, as amended, Reorganization Plan No. 2 of 1977 as amended, and the Foreign Affairs Reform and Restructuring Act of 1998, to carry out international communication activities, including the purchase, installation, rent, construction, and improvement of facilities for radio and television transmission and reception to Cuba, \$410,404,000, of which not to exceed \$16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), \$11,258,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. The Secretary of State is authorized to administer summer travel and work programs without regard to preplacement requirements.

SEC. 404. Beginning in fiscal year 2000 and thereafter, section 410(a) of the Department of State and Related Agencies Appropriations Act, 1999, as included in Public Law 105-277, shall be in effect.

SEC. 405. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Gov-

ernors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

This title may be cited as the "Department of State and Related Agency Appropriations Act, 2000".

The CHAIRMAN. Are there any amendments to this title?

If not, the Clerk will read.

The Clerk read as follows:

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$69,303,000.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, \$5,400,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed \$3,725,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

Mr. TALENT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder if the gentleman from Kentucky (Mr. ROGERS) would engage me in a brief colloquy?

I thank the gentleman for his indulgence. I want to thank him for his excellent work on the bill. I know he has had a difficult time and made some difficult choices, and I think he has produced a great product.

I would like to ask him about funding for the National Veterans Business Development Corporation. The bill authorized in this program, H.R. 1568, passed the House by a voice vote, has not yet passed the Senate. We certainly expect it to soon. It was originally my intent to offer an amendment providing the \$2 million necessary for the program, but that would have been subject to a point of order.

It is my understanding the Senate will pass H.R. 1568 soon, perhaps yet

this week, and that a bill can be sent to the White House.

□ 1630

I would like to ask the chairman if once we have an authorization, he would be willing to work with me and the Senate conferees to see if we can obtain funding for this important program.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. TALENT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I am aware of the corporation and the gentleman's efforts on the committee on small business to aid veterans through this program. However, because we were uncertain of the final form of the authorization, we did refrain from providing funding. It is my understanding that the bill is not being significantly changed. Therefore, I would be happy to work with the chairman of the Subcommittee on Small Business to see what might be accomplished in the conference.

Mr. TALENT. Mr. Chairman, reclaiming my time, I want to thank the chairman for his time. I appreciate his offer to work with me on this, and, more importantly, I thank him on behalf of the veterans and the small business community who will be helped by the bill and the funding.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$265,000, as authorized by section 1303 of Public Law 99-83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$8,900,000: *Provided*, That not to exceed \$50,000 may be used to employ consultants: *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of 4 full-time individuals under Schedule C of the Excepted Service exclusive of 1 special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,170,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as au-

thorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; not to exceed \$29,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; \$279,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$600,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$192,000,000, of which not to exceed \$300,000 shall remain available until September 30, 2001, for research and policy studies: *Provided*, That \$185,754,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at \$6,246,000: *Provided further*, That any offsetting collections received in excess of \$185,754,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02, \$14,150,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$77,207,000: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$77,207,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and

shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at not more than \$0, to remain available until expended: *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285).

LEGAL SERVICES CORPORATION PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$141,000,000, of which \$134,575,000 is for basic field programs and required independent audits; \$1,125,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; and \$5,300,000 is for management and administration.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 1999 and 2000, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, as amended, \$1,240,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$193,200,000 from fees collected in fiscal year 2000 to remain available until expended, and from fees collected in fiscal year 1998, \$130,800,000, to remain available until expended; of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by

sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections.

SMALL BUSINESS ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105-135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$245,500,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$10,800,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$762,000, to be available until expended; and for the cost of guaranteed loans, \$128,030,000, as authorized by 15 U.S.C. 631 note, of which \$45,000,000 shall remain available until September 30, 2001: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2000, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(e)(1)(B)(ii) of the Small Business Act, as amended: *Provided further*, That during fiscal year 2000, commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed \$10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: *Provided further*, That during fiscal year 2000, commitments to guarantee loans under section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of guarantees of debentures authorized under section 20(e)(1)(C)(ii) of the Small Business Act, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$94,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, \$139,400,000 to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for direct administrative expenses of loan making and servicing to carry out the direct loan program, \$116,000,000, of which \$500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General.

ADMINISTRATIVE PROVISION—SMALL BUSINESS
ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal

year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of title IV be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any amendments to this section?

If not, the Clerk will read.

The Clerk read as follows:

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever

is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for: (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995; unless the President certifies within 60 days the following:

(A) Based upon all information available to the United States Government, the Government of the Socialist Republic of Vietnam is fully cooperating in good faith with the United States in the following:

(i) Resolving discrepancy cases, live sightings, and field activities.

(ii) Recovering and repatriating American remains.

(iii) Accelerating efforts to provide documents that will help lead to fullest possible accounting of prisoners of war and missing in action.

(iv) Providing further assistance in implementing trilateral investigations with Laos.

(B) The remains, artifacts, eyewitness accounts, archival material, and other evidence associated with prisoners of war and missing in action recovered from crash sites, military actions, and other locations in Southeast Asia are being thoroughly analyzed by the appropriate laboratories with the intent of providing surviving relatives with scientifically defensible, legal determinations of death or other accountability that are fully documented and available in unclassified and unredacted form to immediate family members.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peace-keeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration (NOAA) under the headings "Operations, Research, and Facilities" and "Procurement, Acquisition and Construction" may be used to implement sections 603, 604, and 605 of Public Law 102-567: *Provided*, That NOAA may develop a modernization plan for its fisheries research vessels that takes fully into account opportunities for contracting for fisheries surveys.

SEC. 613. Any costs incurred by a Department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 614. None of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

SEC. 615. Of the funds appropriated in this Act under the heading "Office of Justice Pro-

grams—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 616. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 617. None of the funds appropriated pursuant to this Act or any other provision of law may be used for (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 618. Notwithstanding any other provision of law, amounts deposited in the Fund established under 42 U.S.C. 10601 in fiscal year 1999 in excess of \$500,000,000 shall not be available for obligation until October 1, 2000.

SEC. 619. None of the funds made available in this Act may be used to publish or issue an assessment required under section 106 of the Global Change Research Act of 1990 unless—

(1) the supporting research has been subjected to peer review and, if not otherwise publicly available, posted electronically for public comment prior to use in the assessment; and

(2) the draft assessment has been published in the Federal Register for a 60 day public comment period.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 108, line 21, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 620. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not en-

tered into force pursuant to article 25 of the Protocol.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. INSLEE:

Page 108, strike line 22 and all that follows through page 109, line 8 (section 620).

Mr. INSLEE. Mr. Chairman, we are proposing an amendment which many of us believe will address an issue which we have too long ignored, and that is the issue of global climate change. Unfortunately, the language of the bill at this moment contains language which would prevent us from addressing this important issue on an international basis.

The language specifically we are addressing is in section 620 of the bill, and, unfortunately, the existing language of the bill would prevent any expenditure of funds in preparation for implementation of the Kyoto Protocol regarding global climate change. The problem with this language is that it would prevent our diplomatic efforts to bring forth the developing world into our efforts to get a handle on global climate change.

Many of us know that in the Kyoto Protocol, despite its adoption, we have a desire, and the administration has expressed a desire, to work with developing nations to get the developing nations to agree to limitations, to agree to research in new technology, to try to reduce our emissions globally, the developed world and the developing world, to reduce CO2 emissions and prevent the kind of summers we have had recently.

We need to remove this language, because, unfortunately, the Nation is coming to feel like Time Magazine. If you see this week's Time magazine, there is an article that is entitled "Capitol Hill Meltdown." The subtitle is, "While the Nation sizzles, Congress fiddles over measures to slow down future climate change."

Now, there is lots of work to be done between here and now on the solution to this problem, but the one thing we should not do, the one thing we cannot do, is shoot ourselves in the foot in an effort to go forth and try to bring the developing nations into this international agreement, to try to get them to join us in the efforts to reduce climate change emissions.

Many of us believe and all of us should believe that there should be no cardinal sin in going forth and trying to get others to talk with you internationally on how to deal with this problem. I would encourage any Member who has questions about this issue when we finish our mysteries at the beach this August to take a look at the literature on this issue because there is an overwhelming scientific consensus that this phenomena is occurring, number one, and, number two, it is going to continue to occur unless we, on an international basis, do something about it.

So we are offering this amendment, which would allow us, internationally, to go to the developed nations and urge them to join us in efforts to reduce these emissions and to enter into international agreements.

I want to make clear, this amendment does not, repeat, does not attempt to implement the Kyoto Protocol. The Senate has not ratified that, obviously. But it will allow us to continue diplomatic efforts to get the developed nations to help us and join us in this international effort to prevent the kind of summers we have had in the past year, in the past month, becoming unfortunately our predestined future.

Mr. KNOLLENBERG. Mr. Chairman, I rise in very strong objection to the gentleman's amendment.

Mr. Chairman, we have been down this road many, many times, but I would just like to assert a little bit of the history behind why this language is in the bill. Incidentally, it is in a number of bills, and it was signed into law, I would point out, last year by the President.

There is strong bipartisan support in this body and the other body for this language, and all it is designed to do and destined to do is to prevent implementation of the Kyoto treaty before it is ratified by the Senate. As the gentleman well knows, the Senate does have something to say about this.

I could say to you that nowhere in our wording does it say that we are stopping voluntarily any efforts that are being made in the direction of improving conditions, as you seek. But the developing nations of this world, as has been determined by that Senate vote of 95 to 0, must be participants. That does not mean that we have to pay with taxpayer dollars for implementation of the treaty until there is ratification.

Now, I can say further, education and research is something that is very clear. That can be done. But I think the gentleman errs when he says that this language prevents any kind of voluntary effort. What it is designed to do, and it says very clearly, and I can read it, if you would like, "none of the funds appropriated by this act shall be used to propose, issue rules or regulations or decrees or orders for the purpose of implementation."

That is the story, plain and simple.

I would tell the gentleman that it was not just a bipartisan effort, because if you look at the vote through the various subcommittees, committees, on the floor, et cetera, in the Senate, I think there is overwhelming respect for the idea that we should not bypass the Constitution, we should not implement before we ratify.

I would just say to the gentleman from Washington (Mr. INSLEE), that is what this language is for. If you strike this language, you have opened up enough room for a truck to drive through to actually implement the treaty. That is what we do not want to do.

I want to get to a point where we have made this world a cleaner place in terms of the air we breathe I think as much as anybody, but we are not going to do it in a constitutional bypass, and that is, frankly, what you do when you strike this language, you leave it open to that.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman for being the author of this language that was inserted into this bill.

Mr. Chairman, this is I think the sixth of these appropriations bills that this exact same language has been included in. The House has passed five previous bills this year, appropriations bills, with this same language, and it is in this bill, and I commend the gentleman for his efforts, because he has been the driving force behind our efforts.

This language was accepted I think unanimously in the full committee. I do not think anyone objected to it. I would certainly oppose the amendment to strike it out, and commend the gentleman for putting the language in. I urge a "no" vote on the amendment.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, it is a question as much as a statement. What many of us are concerned about is the language that says none of the funds can be used in preparation for implementation.

Let me tell you what the concern is, and perhaps we can work together in conference to resolve this. The concern is that that language would prevent the State Department from going to developed nations and trying to get them to prepare for the Kyoto Protocol, to try to get them to agree to improve their participation in this protocol, to try to get them to agree to some of the measures.

We are very concerned this language will prevent us from moving ahead at all on international consideration. I guess I would ask the Chair if you would consider in conference looking at this language.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, let me assure the gentleman that there is nothing in this wording, which was worked out, by the way, in conference last year with the Senate and the House, with Senator BYRD. This language, by the way, was further, I would say, changed from what we had passed on the House floor last year. So this has the approval and the backing of Senator BYRD and the Senate, and it was passed without any kind of interruption in the conference last year.

□ 1645

So the gentleman is suggesting I reopen that. What I would tell the gen-

tleman is that we would continue to say that this language only is intended not to challenge or to stop any kind of research or education, but when we cross the line to advocacy, we have gone too far. When we spend money in the hopes of the developing nations of the world coming on board, we are crossing that line.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I appreciate this discussion.

Let me just ask the chairman, does he believe it would be appropriate in this language for our State Department or other agencies of the government to continue a dialogue with the developing nations to try to get them to come into the umbrella of the Kyoto Protocol, to try to get them to agree to join us in some of the standards which many of us want to be implemented; what the gentleman believes is an appropriate expenditure under this language? Because that is our concern.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, let me just say that I went to both Kyoto and Buenos Aires, and we tried in the hardest way we could to get the developing nations on board in a voluntary fashion. I say again, if we were to expend monies to help the developing nations come into the picture, and I think that may be what they want, we are in violation of the very wording, the very language we have here. We would be in violation, in fact, of the Senate, which voted 95 to zero to say simply, bring the developing nations into the picture, bring them on board. They must be participants. It does not mean we do it for them, they have to be participants.

That is what this language simply says, is do not do anything until they become, on their own, participants in this process. Along the way we do not stop any, any voluntary action on the part of anybody. It is taxpayer dollars that we are talking about here.

Mr. INSLEE. If the gentleman from Massachusetts will continue to yield, Mr. Chairman, let me take one more stab at this to see if we could reach some meeting of the minds in some regard.

What I am searching for is some way for the gentleman to express or this Congress to express the belief that it is appropriate for us to be able to negotiate with some of these developing nations to urge them to agree to some of the limitations we need them to agree to so we can get to a global treaty in this regard.

I am searching for some indication from the Chair that he believes that is appropriate, and if so, some manifestation of that.

Mr. KNOLLENBERG. If the gentleman from Massachusetts will yield further, let me respond by saying that this language has been very, very carefully crafted. It is not to say that I would be a cement wall in terms of resisting conversation. I never have been. I have continued to be open, and on three different occasions last year we changed this language. It has been in a state of evolution.

I think it is at a point where very honestly, even though we would entertain conversations or suggestions from anybody, it would only be to the extent of not spending dollars for implementation.

If we cross that line, and the gentleman from Wisconsin (Mr. OBEY) to his credit, and I respect him and thank him for it, shares that whole position. If Members read the amendment that was passed last year on the House floor, it was his amendment. It clarified where we are on this business of implementation. I think it would be worthwhile rereading that.

Obviously I would be happy to talk to the gentleman in the future. But I would say, do a re-read of that amendment. It is pretty specific about what we can or cannot do. We are not stopping research, we are not stopping development, we are not stopping voluntary movement. What we are saying, however, is do not spend any taxpayer dollars until the Senate ratifies the treaty.

So to that end, I am always willing to talk to anybody about this subject, and I am not stifling debate, but I think for purposes of this bill and at this moment, that I can just say to the gentleman, yes, we will have that conversation in the future. But I think this language should stand, because it is the will of this body. It is a bipartisan will, too. It is both bodies.

Mr. FRANK of Massachusetts. If hope still springs eternal, I yield again to the gentleman from Washington.

Mr. INSLEE. As a new Member, hope still springs eternal. We will consider that a crack in the door, to some degree.

Mr. KNOLLENBERG. If the gentleman will continue to yield, Mr. Chairman, the doors are not necessarily cracked, but we can talk out in front of those doors, if you will.

I do not mean to suggest this language is going down. I am just saying, I would be happy to talk to the gentleman about it.

Mr. INSLEE. Mr. Chairman, if the gentleman will continue to yield, I will say two things. We will withdraw the amendment at this time, but I do think it very important for us in this Chamber to find out how we can get the developing nations to join us to go forward on solving this problem so that our institution is not seen as the institution that puts our head in the sand on this issue.

I will have a dialogue with the Chair and other Members.

Mr. UDALL of Colorado. Mr. Chairman, climate change is a global problem that requires

a global solution. The Administration's is engaged in a full court press to ensure that developing countries are part of this global solution and to ensure that international efforts to address climate change are cost effective. The Congress has called on the President to engage developing countries and to protect the economic interests of the United States.

Section 620 of the bill apparently would make it difficult—maybe impossible—for our government to advance these foreign policy objectives and interests of the United States.

Providing technical assistance to developing countries, sharing the U.S.'s successful experiences with market-based mechanisms and vigorously advancing U.S. business interests does NOT constitute a backdoor implementation of the Kyoto Protocol.

We should be encouraging the Administration to continue to advance the interests of the U.S. in the on-going international climate change negotiations. But instead, the language now in the bill directs us to put our heads in the sand. That's the wrong message to send, and we should delete it from the bill.

Mr. INSLEE. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 106-284 offered by Mr. Tiahrt:

At the end of title VI, insert the following:
SEC. . NONDISCRIMINATION BASED ON RELIGIOUS OR MORAL BELIEFS.

No part of any appropriation contained in this Act may be used, directly or indirectly, to discriminate against, denigrate, or otherwise undermine the religious or moral beliefs of students who participate in programs for which financial assistance is provided from that appropriation or of the parents or legal guardians of such students.

The CHAIRMAN. Pursuant to House Resolution 273, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

AMENDMENT, AS MODIFIED, OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I ask unanimous consent to modify the language in my amendment, and to proceed with the modified amendment.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment printed in House Report 106-284, as modified, offered by Mr. TIAHRT:

At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available to the Department of Justice in this Act may be used to discriminate against, deni-

grate, or otherwise undermine the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TIAHRT. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this Nation has a tradition of protecting religious liberties. Our forefathers fought for these liberties here and around the globe. Even today, we encourage other nations like Russia and China to respect the religious liberty of their own citizens.

But right here in our own government, under the guise of youth violence protection, we devalue and demean the religious liberty we have worked so hard to protect. Our own Justice Department has sanctioned literature that undermines the values and virtues our parents are trying to pass on to their children.

Specific faiths, such as Baptist and Pentecostal, have been linked to hate groups. Who knows what faith the Justice Department will denigrate next, the Jewish faith? The American Methodist Episcopal? Catholics?

In their curriculum, the Department of Justice ties prejudice directly to religious organizations, violating the long-held belief that our government will protect religious liberty for our citizens. All this amendment does is restrict the Department of Justice from spending our tax dollars to undermine the values that parents are trying to teach their kids.

All I am saying is we should not devalue the religious liberty we fought so hard to protect, both here in our own country and across the globe. This amendment respects parents' faith and supports their efforts to raise children with a set of values in hopes of making a better America than the one we live in today.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek time in opposition?

Mr. SERRANO. I seek the time in opposition, Mr. Chairman, and I yield that time to the gentleman from Massachusetts (Mr. FRANK).

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. FRANK).

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Chairman, may I split the time and reserve some of it under that yielding?

The CHAIRMAN. Yes, the gentleman may.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I understand the thrust of this amendment. Some of it

seems to me unobjectionable, but I think it would be a mistake to adopt it. The gentleman did narrow it substantially. There is a mismatch between the description of the amendment and the text. There is less of a mismatch, but there still is one.

To the amendment as originally made in order by the Committee on Rules we did not object, because I do think it ought to be able to go forward without objection. But had we objected, it would have covered all programs in the Department of Commerce and the Department of State. It now, however, covers all Justice Department programs, so we are not now just dealing with juvenile justice.

To the extent that the Department of Justice funds any law school studies, this would be covered by this amendment.

Here are the problems. Discriminate against? No, we should certainly ban discrimination. I believe we already do by statute. Denigrate directly? I think the government should not denigrate. But undermine? What about those who have a religious belief that evolution is a mistake? That would appear to include the majority whip of this House, from our debate on juvenile justice. If adopted, this amendment would prohibit any program funded by the Justice Department to teach evolution.

Among the religions, by the way, whose beliefs could not be undermined or denigrated would be the Nation of Islam. I mention that because they appear to me to have a creation theory that is very strange, and I would hope if that came up it could be undermined.

This says we cannot fund any program through the Department of Justice, not just in juvenile justice but any program that undermines someone's religious beliefs, no matter how strange their religious beliefs. We cannot, under this bill, undermine beliefs of those in the Church of Scientology.

Now, this is not an opt-out. This is not an amendment that said that if you are personally offensive to Scientologists, Nation of Islam, and a few others, they can leave. No one can teach something which undermines the beliefs of those groups. I think our students are of sterner stuff, and not only should not be, but they cannot be protected in a free society from anything which would undermine their religious beliefs.

Indeed, we have religions which believe directly contrary things on common facts. There are different religions. We do religion no service if we homogenize it. There are sharply different versions of important fact questions and value questions among certain religions.

Do we then say that if we teach monogamy, we are violating the rights of those members of Islam who who believe in polygamy? Polygamy is legal and supported in many Muslim countries. That is the problem. We cannot literally come close to refraining from undermining religious beliefs.

So what we are doing here in the guise of protecting liberty is in fact to undermine it. We dumb down educational programs. Again, we are not just talking about violence protection programs, we are talking about anything that the Department of Justice funds.

If the Department of Justice wants to fund a study on this or that or the other and wants to bring law schools in, it cannot be involved. I do think it is legitimate to say there are religions of which I do not think a great deal. I do not want the government officially to denigrate them, but I do not think we should say it in that way.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair would inquire of the gentleman from New York (Mr. SERRANO), does the gentleman from New York intend to control the time in opposition?

Mr. SERRANO. No, Mr. Chairman, the gentleman from Massachusetts (Mr. FRANK) controls the time.

The CHAIRMAN. The gentleman asks unanimous consent that the gentleman from Massachusetts (Mr. FRANK) control the time?

Mr. SERRANO. Yes, I do.

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say that we are talking about dissenting views on evolution. I just think that we should not be in a position where we are picking one side or another in our tax dollars. We should just recognize both sides, and not demean one side or the other.

Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman for yielding time to me.

Too often when issues like this that have moral or religious overtones are raised here, they are rejected on theories of constitutional purity. The constitutional prohibition, for example, against the establishment of religions, or the companion philosophy of separation of church and State, many times become excuses for avoiding debates that focus on morality and character of citizens.

I believe that the erection of these phrases as roadblocks to such discussions is wrong and does a disservice to the intentions of our Founding Fathers, who never intended that governmental interaction with its people be sanitized of all religious flavors.

In fact, I think they intended exactly the opposite. They understood that it was the multitude of religious beliefs that undergirded the character of the citizenry. This amendment simply makes one small statement of reaffirmation of that concept by prohibiting those who receive funds through the Office of Juvenile Justice and Delinquency Prevention from using those funds to undermine or denigrate the religious beliefs of children or adults who participate in the programs.

I urge support for the amendment.

□ 1700

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I appreciate the intellectual honesty from the gentleman from Kansas. He now makes it clear. The purpose and intent of this amendment would be, for instance, to prevent any program which taught evolution as a fact, because evolution is contested. It would prevent, it would appear to me, any program which taught that monogamy was the preferred form of marital relationship since Islam, a very respectable religion, increasingly represented in America, in some of its forms allows polygamy. It is not allowed by American law; but, theoretically, there is strong support for it. There is also of course the position of the black Muslims.

So I would hope that we would not do this. I understand the intent, but the effect of this would be very severely to circumscribe the intellectual content of any program that can be offered by the Department of Justice. I do not think we should make that assault in the name of something that is quite valuable, religious liberty.

So discriminate against, we should not do that; and denigrate people's religion, we should not do that. But when one prohibits undermining any religious tenant by any program from the Department of Justice, one quite literally would ban the chances of any serious and thoughtful intellectual program and would, in fact, I believe, undercut a number of things.

Let me throw in one other. There are important religions in this country which believe that the death penalty is a mistake. These are people who have firm religious convictions that say "thou shalt not kill" is absolute. Pass this amendment, and no Justice Department study could, it seems to me, be funded to show the validity and importance of the death penalty.

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this legislation is not about the Scopes trial and evolution. It is not about monogamists or polygamy. It is not about the creation theory of Islam. This is about youth violence programs, and we do not think it is proper for the Department of Justice to take one side or the other when it comes to religious liberties.

Mr. Chairman, I yield the balance of the time to the gentleman from Indiana (Mr. SOUDER) to close.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, overheated rhetoric aside, and let me make it clear, I do not think the Justice Department should be teaching evolution or creation. It is not the business of the Justice Department. I, furthermore, do not believe the Justice Department should be advocating or not advocating the death penalty.

Studies are not affected here. This is the advocacy. Discriminate against, denigrating. Quite frankly, the word "otherwise" here is qualified by discriminating and denigrating. It says otherwise undermine, which is in the English language predicated on the first two definitions. I believe we are chasing a red herring here.

Religious freedom is a basic constitutional right in this country, as is freedom of speech. Obviously there are limitations in any right. No right to yell in a theater. No right to sexually harass. One cannot violate other laws. Christians should not use government funds to discriminate or to denigrate Hindus. Muslims should not use government funds to discriminate against or to denigrate Jews.

If Christians like myself, joined by nearly every other major religion on these particular points, believe that whatever predispositions one may or may want have, that some behaviors are morally wrong, such as child sexual abuse or alcoholism or spouse abuse, the government has no right to denigrate charasmatics, Catholics, Mormons, Lutherans, Hindus or anyone else who would hold such beliefs.

If one practices hate like those evil persons who murdered homosexuals, blacks, Christians, or Jews in our country; like those who have harassed through physical threats or church burnings, one has no protection for illegal and immoral acts here in America or without repentance eternally.

But where moral principles differ, the government has no business whatsoever in discriminating against, denigrating, or otherwise undermining religions and religious belief.

At a time when America is in a moral crisis, the last thing we need is the government attacking religions.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Kansas (Mr. TIAHRT).

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 106-284 offered by Mr. BASS:

At the appropriate place in the title relating to "GENERAL PROVISIONS", insert the following new section:

SEC. —. EFFICIENT ALLOCATION OF TELEPHONE NUMBERS.

(a) PLAN.—Not later than March 31, 2000, the Federal Communications Commission shall develop and implement a plan for the efficient allocation of telephone numbers.

(b) ELEMENTS.—The plan under subsection (a) shall—

(1) include mechanisms to ensure portability of telephone numbers among services and service providers within individual rating areas, if there is a bona fide demand, and establish rules applicable to service providers not subject to or otherwise not in compliance with such number portability requirements;

(2) take into account any telecommunications technology widely available as of March 31, 2000, that requires a telephone number;

(3) consider and take steps to minimize the total societal costs and impacts of the plan for the efficient allocation of telephone numbers and any specific number relief or conservation measures that may arise therefrom; and

(4) provide for allocating unassigned telephone numbers among telecommunications carriers in blocks of 1,000 in order to fairly share such numbers without the waste associated with allocating in blocks of 10,000.

(c) DELEGATION OF NUMBERING JURISDICTION.—During the period beginning 60 days after the date of the enactment of this Act and ending upon the Commission fully implementing the plan required by subsection (a), the Commission shall, upon the request of a State commission whose State has been determined to be within 12 months of telephone number capacity, delegate to the State commission the jurisdiction of the Commission over telecommunications numbering with respect to the State under section 251(e)(1) of the Communications Act of 1934 (47 U.S.C. 251(e)(1)) to the extent that such delegation will permit the State commission to implement measures to conserve telephone numbers, including measures as follows:

(1) To conduct audits of the use of telephone numbers and central office codes.

(2) To require telecommunications carriers to return unused central office codes and to return central office codes that have been obtained in a manner contrary to Federal or State numbering guidelines or protocols.

(3) To develop and establish dialing protocols applicable for calls placed within the same area code or local calling area (or both) of the calling party that will consider, in addition to the potential effect upon competition, matters of public convenience and safety and the public interest generally.

(4) To develop and implement, where the State commission finds it to be in the public interest and supportive of number conservation measures that it may adopt, area code relief measures involving the use of overlay area codes applicable to telecommunications service providers not subject to or otherwise not in compliance with local number portability, including a requirement that existing telephone numbers assigned to or in use (or both) by such service providers be transferred to the overlay area code, and including a requirement that calls placed within a calling party's home area code continue to be dialable on a 7-digit basis.

The CHAIRMAN. Pursuant to House Resolution 273, the gentleman from New Hampshire (Mr. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. BASS. Mr. Chairman, I ask unanimous consent to yield 2½ minutes of my time to the gentleman from Ohio (Mr. KUCINICH) for purposes of control.

The CHAIRMAN. Without objection, the gentleman from New Hampshire (Mr. BASS) and the gentleman from Ohio (Mr. KUCINICH) each will control 2½ minutes.

There was no objection.

The Chair recognizes the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of this amendment, and I want to thank

the gentleman from Virginia (Mr. BLILEY), chairman of the Committee on Commerce, and the gentleman from Kentucky (Mr. ROGERS), chairman of the Subcommittee on Commerce, Justice, State, and Judiciary, for their good-faith efforts to work on this amendment with me.

Mr. Chairman, this amendment addresses a problem that is needlessly affecting the telephone service of millions of Americans. Year after year, new area codes are created, and they are created unnecessarily. One of the reasons for that is that the FCC has allocated telephone number blocks in blocks of 10,000 rather than 1,000. So the result is, if one has a central exchange in a small town or small area, one uses 9,999 numbers, and one only has a couple of hundred telephones.

What this amendment does is force the FCC to solve this problem by the end of March of next year so that we do not have a situation where, in 22 different States across the country, new area codes are assigned needlessly.

Mr. Chairman, this is not an issue of political philosophy. It is not an issue of partisanship. It is an issue of dealing with the bureaucracy.

I urge all of my colleagues who support this amendment that it will save countless thousands of dollars to small businesses and families who have to adjust to new area codes needlessly because the FCC has not moved rapidly enough on their rulemaking proposal to support this amendment and move forward.

Mr. Chairman, I also want to recognize and thank the chairman of the House Commerce Committee, Mr. BLILEY, and the chairman of the Commerce, Justice, State Appropriations Subcommittee, Mr. ROGERS, for their good faith negotiations on this amendment.

Mr. Chairman, a serious problem is needlessly affecting the telephone service of millions of Americans. Year after year, new area codes are created and imposed on consumers and businesses across the country. We could all understand and accept new area codes if we actually ran out of numbers in the old ones. The truth, however, is that more phone numbers in each area code are stranded by bureaucracy than ever get assigned to a residential or commercial line.

One of the main problems is that phone numbers are distributed in blocks of 10,000—without regard to demand. That means that there are thousands of phone numbers in many area codes that never get used and are wasted. This amendment would require that phone numbers are allocated in blocks of 1,000. Therefore, if a location only needs 2,000 numbers then they can get 2,000 numbers—and not tie up the full 10,000 numbers.

The FCC has been working on the problem now for well over a year. Meanwhile, millions of Americans have had their area code changed.

Sometimes new area codes are added geographically. A state gets split in two—half keeps the old code and half gets a new code. Sometimes new codes are overlaid on top of the existing code, where you would keep the area code you have for existing phone numbers, but would use the new area code for

new numbers. Sometimes you get a combination of these solutions.

Almost one-third of the 215 area codes in the United States are likely to be exhausted within two years. California, Florida, Kentucky, Louisiana, Michigan, New York, and Virginia each have at least two area codes that are in extreme jeopardy and require immediate action. Another 11 states, including my own state of New Hampshire, have at least one area code that will be exhausted within the next 16 months.

This bipartisan amendment would require the FCC to address this problem by March 31, 2000. This amendment also provides states that have been determined to be in jeopardy by the North American Numbering Plan Administrator with limited flexibility to conserve their current area codes. Again, this state jurisdiction would only be provided to states that are in jeopardy.

Because we allocate phone numbers so inefficiently, we will exhaust the remaining pool of area codes by 2008. To fix this could cost up to \$150 billion and would have to add at least one additional digit to all phone numbers in America.

We know this problem is coming. Let's act before it becomes another crisis that could have been avoided.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek to claim time in opposition?

Mr. SERRANO. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from New York (Mr. SERRANO) is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Ohio (Mr. KUCINICH) for the purpose of control.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) is recognized for 7½ minutes.

Mr. KUCINICH. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. DIXON).

(Mr. DIXON asked and was given permission to revise and extend his remarks.)

Mr. DIXON. Mr. Chairman, I thank the gentleman for yielding to me, and I congratulate the gentleman from New Hampshire (Mr. BASS) and the gentleman from Ohio (Mr. KUCINICH). This is an excellent amendment that allows the PUCs of States to do the right thing.

Mr. Chairman, I rise in support of the amendment offered by Representatives BASS and KUCINICH. Ordinarily, I would oppose the addition of this type of legislation to our appropriations bill. However, from my district in Los Angeles, California to the state of Maine, we face an area code crisis that demands the extraordinary.

The public outcry in my district in California began with the California Public Utilities Commission's (CPUC) imposition of mandatory one plus ten digit dialing in preparation for an area code "overlay." For the uninitiated, instead of splitting the geographic area and adding a new area code, the new area code is simply

overlayed to the existing area; all callers in the area are then required to use the area code for all local calls. Consequently, my next door neighbor may have a different area code; two phones in the same household may have a different area code. On the other hand, the consumer is insured of holding on to his/her current number indefinitely.

The point here is not to debate the merits of the geographic split versus overlay, but to understand that for many consumers, this sudden and increasingly frequent upheaval with respect to that most valued possession—the telephone—is troubling. Moreover, there have been unforeseen costs to consumers and businesses as a result of mandatory ten digit dialing; for example, no one anticipated that existing apartment building entry code systems would be rendered useless with the imposition of ten digit dialing.

Indeed, it is the lack of "anticipating" which I find most troubling about this current situation. From the Congress, which failed to anticipate the problems that deregulation of the telecommunications industry would pose for a monopoly driven number allocation system, to the Federal Communications Commission (FCC) and state public utilities commissions that have been slow to respond. There is an urgency to this problem that seems to have escaped government and industry.

Let me share with you what the result in my state has been. From 1947 to the end of 1992, the number of area codes in California grew from three to 13: ten new area codes over a 45 year period. In the three year period from January 1997 to the end of 1999, the state will have doubled that figure for a total of 26 area codes. The CPUC has approved relief plans for another seven new area codes just in the last ten months. Demand in California is such that new area codes are being placed in jeopardy of exhaust as soon as they become operational.

Everyone agrees that the current number allocation system is inefficient. These inefficiencies are directly related to policies of the FCC. I am encouraged that the Notice of Proposed Rulemaking initiated by the FCC on May 27, 1999, reflects some understanding by the agency of its role in the area code exhaust crisis facing many states and localities. FCC Chairman Kennard also recently indicated that the FCC would be granting pending state petitions requesting greater authority to initiate number conservation strategies. However, I regret that the situation was allowed to deteriorate to the degree it has.

We deregulated the telecommunications industry to enhance competition and spur technological innovation to benefit the economy and American consumers. I am increasingly concerned that while technology grows by leaps and bounds, the average American consumer is being asked to carry a disproportionate burden of the costs and—in the case of this area code mess—the inconvenience of progress.

This is an exceedingly complicated matter: as we have found in so many of the matters surrounding telecommunications policy and deregulation. Complexity, however, should no longer be an excuse for us to leave it to the experts to sit down and solve the problem. They need to be pushed.

Much of what the Bass/Kucinich Amendment seeks to accomplish, the FCC is currently engaged in. Other provisions are more

controversial and certainly deserve more than the ten minutes of debate allotted here today. Adoption of the amendment signals our willingness to engage more fully in this issue. I offer my strong support for the amendment and commend the gentlemen from New Hampshire and Ohio for bringing the issue to the floor.

Mr. KUCINICH. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BERMAN).

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Chairman, I thank the gentleman from Ohio very much for yielding to me. Mr. Chairman, I rise in very strong support of the gentleman's amendment.

Mr. Chairman, I rise in support of the Bass-Kucinich amendment which addresses the efficient allocation of telephone numbers. I wholeheartedly agree that the FCC should develop and implement a plan to address the problem of area code proliferation which is plaguing communities across the United States. Moreover, I concur that State Commissions should be given the authority to implement number conservation methods, especially if the state is about to reach its capacity of numbers. States should be given the authority to deal with the hoarding of unused area codes by local carriers.

Throughout California, the proliferation of area codes is a problem. During the last two years, the number of area codes in California has risen from 13 to 28, and as many as 14 additional area codes may be implemented by 2002. By contrast, it took 45 years for California to acquire 13 area codes.

In fact, there is a plan in my district either to split the San Fernando Valley into two area codes or subject us to an "overlay." I have heard from many constituents who feel either option will inconvenience them unnecessarily. Homeowners have told me that they do not want to dial ten numbers to call their next-door neighbors. Business owners are upset because they fear they will lose contact with their customers. Their feelings of frustration and annoyance are totally understandable.

I want to leave you with one statistic: the California Public Utilities Commission estimates that only 35 to 40 million numbers are in use, while 206 million numbers will be available by the end of this year in California. It is clear that the current capacity of numbers has not been exhausted. I believe California is not alone in its predicament and many reports have documented a similar underutilization in other states.

I urge my colleagues to support this much-needed amendment.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California (Mr. DIXON) and the gentleman from California (Mr. BERMAN) for their support of this amendment. I thank the gentleman from New Hampshire (Mr. BASS) for his cooperation in working on this and to the senior Members, who are the chairmen of the committees.

Mr. Chairman, there are more than 2 billion potential telephone numbers right now, but only 10 percent of them

are in use. So there are plenty of telephone numbers. But due to the FCC mismanagement, roughly 70 million customers have been told they have to switch area codes due to a scarcity of numbers in their area code.

Now, the U.S. is only a few years away from running out of area codes. This will necessitate adding an extra digit to all telephone numbers. Now think about that for a moment. If one's phone number is 224-3121, and they want to make it 224-31210, just adding that extra digit is going to cost consumers in this country \$150 billion. We are talking about the largest telephone rate hike in history here.

The Bass-Kucinich amendment would direct the FCC to make sure that more telephone numbers were assigned efficiently before new area codes are imposed. That would save consumers \$150 billion in preventable telephone bill charges.

The State Regulatory Utility Commissioners support the goal of this amendment. Mr. Chairman, I have a letter from the Chairman of the National Association of Regulatory Utility Commissioners as well as the resolution of that body which, in effect, endorses the principles that are in this amendment by myself and the gentleman from New Hampshire (Mr. BASS).

I include the letter and resolution for the RECORD as follows:

THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS,

August 5, 1999.

Re: Number conservation

Hon. THOMAS BLILEY,
Chairman, House Commerce Committee, U.S.
House of Representatives, Washington DC.

DEAR CHAIRMAN BLILEY: I write to request that you support enabling state commissions to respond effectively to telephone number exhaustion. I am Chairman of the Telecommunications Committee of the National Association of Regulatory Utility Commissioners (NARUC). NARUC represents state and territorial commissions which regulate telecommunications services. We have appreciated Congress's close concern with Telecommunications Act implementation, and its interest in the views of state public utility commissions.

Many state commissioners in affected states support current Congressional proposals to enable state commissions to respond to the numbering crisis. NARUC itself has not endorsed specific Congressional action, as opposed to Federal Communications Action to broaden state commission ability to respond, subject to Congressional oversight. However the problem is addressed, the need for state authority is compelling and is urgent.

Telephone number exhaustion is perhaps the most heated and controversial issue state public utility commissions in large and medium-sized states. Residential and business customers become more upset about area code changes than about most rate increases. Customers associate their area code with their physical location and also resent the expense and confusion caused by area code changes. Customers perceive numbering and area codes as state issues and focus their anger on state public utility commissions. State commissions are blamed for the train wreck but lack adequate tools either to avoid it or to clean up the mess after it occurs.

State public utility commissions have taken a proactive and constructive approach to numbering issues. State commissions have been fully engaged with the Federal Communications Commission, where several petitions are currently pending, and with the North American Numbering Council on all aspects of number planning. State commissions have emphasized conservation measures before exhaustion occurs and have devised appropriate measures for their states when area code relief is required. Unfortunately, state commissions are currently hamstrung in their efforts to conserve numbers and respond to numbering exhaust.

Recently, NARUC adopted a resolution concerning numbering exhaust and conservation, focusing primarily on possible FCC action. Among other things NARUC urges that states be allowed to implement thousand block number pooling and be granted strong enforcement authority over number conservation. I have attached a copy of the resolution.

Expanded state commission ability to mitigate and respond to number exhaustion is consistent with the cooperative federalist design of the Telecommunications Act, is consistent with the development of competition, and is the right thing to do for telecommunications customers.

Sincerely,

BOB ROWE,
Chairman,

Enclosure.

RESOLUTION ON THE FCC'S NUMBER RESOURCE OPTIMIZATION RULEMAKING PROCEEDING

Whereas, The current numbering administration process for the North American Numbering Plan has proven to be inadequate and has led to the inefficient use of numbering resources and the premature assignment of new area codes; and

Whereas, The current numbering crisis demands immediate action by the FCC, and failure to act expeditiously will result in substantial disruption, including the activation of new, unnecessary area codes that will permanently destroy geographic associations with specific area codes, will needlessly subject both residential and business customers to unnecessary costs, confusion and inconvenience, and will wastefully consume the limited resources of both telecommunications providers and State regulators; and

Whereas, Companion number conservation bills, H.R. 2439 and S.B. 765, have been introduced in Congress by Representative Kucinich and Senator Collins, respectively, to reduce the need for new area codes that are being created due to the inefficient practices of the telephone companies; and

Whereas, The FCC's Notice of Proposed Rulemaking in the Number Resource Optimization Docket, CC Docket No. 99-200, FCC 99-122 (June 2, 1999), requests comments on many important issues and proposes several different approaches to resolve the numbering crisis; and

Whereas, The States and territories believe that adherence to the principles and approaches outlined below is essential to the creation of an effective, competitively-neutral, administratively feasible numbering administration system; now therefore be it

Resolved, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened in its 1999 Summer Meeting in San Francisco, California, that NARUC supports the FCC's efforts in its NPRM on numbering resources and encourages State commissions to file comments with the FCC that:

a. Urge the FCC to abandon the voluntary Central Office Code Administration Guidelines and establish more stringent, enforceable number assignment rules and regulations, and

b. Urge the FCC not to give carriers the freedom to "pick and choose" the number conservation measures in which they wish to participate and instead grant States and territories, which have an obligation to protect the public interest, flexibility in developing a number conservation plan which is consistent with national standards but which also meets the State's specific needs; and

c. Urge the FCC to establish uniform standards for thousand block pooling and allow States and territories to require the implementation of thousand block pooling as soon as possible; and

d. Urge the FCC to allow States and territories to implement thousand block pooling in all LNP-capable switches in all areas of the country, not just the top 100 MSAs; and

e. Urge the FCC not to condition the implementation of thousand block pooling upon rate center consolidation; and

f. Request that States and territories be given strong enforcement authority over all code holders (including wireless carriers) and access to all information collected by the FCC and NANPA; and be it further,

Resolved, That NARUC counsel is directed to file comments consistent with this resolution with the FCC.

Mr. Chairman, I would quote from the letter which says that "Expanded state commission ability to mitigate and respond to number exhaustion is consistent with the cooperative Federalist design of the Telecommunications Act, is consistent with the development of competition, and is the right thing to do for telecommunications customers."

So this is from the chairman of the National Association of Regulatory Utility Commissioners in support of the principles established in the Bass-Kucinich amendment.

So, Mr. Chairman, I am asking for the support of the Members of this House so that those tens of millions in telephone customers who are our constituents across this country will not be burdened with the inconvenience and with the extra expense of having to go through one area code change after another when, in fact, there are plenty of telephone numbers to go around, and there is a way to manage efficiently the use of telephone numbers, and this legislation guarantees that.

Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I thank the gentleman for yielding to me. I understand under the rules that the opposition was seized by the gentleman from New York (Mr. SERRANO). I just want to say a word that the Committee on Commerce strongly opposes this amendment and asked me to make sure that the House is aware that there is strong opposition to this amendment, particularly because of the fact that number portability and wireless phones is something that creates great confusion and problems. This amendment could lead to those kinds of problems. The Committee on Commerce has examined this amendment in great detail and has urged me and the House to reject it on that basis.

This could, in fact, create enormous expense on some of the local telephone

companies because they would have to service number portability over long areas. Many of us have petitioned the FCC, and the FCC has agreed not to require this kind of portability in mobile phones or to have a different number system for mobile and fixed telephones as this amendment might end up requiring.

So I would urge my colleagues to reject this amendment and to go along with the Committee on Commerce on this amendment.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to again assert that I have a letter from the chairman of the Telecommunications Committee of the National Association of Regulatory Utility Commissioners in support of the principles that are in this Bass-Kucinich amendment.

I also have a resolution on the FCC's resource optimization rulemaking proceeding which has been passed by the National Association of Regulatory Utility Commissioners which, in fact, states that they are asking for support of, again, the principles embodied in Bass-Kucinich.

I would further assert that the problem is caused by the FCC preemption of States' abilities to solve this area code situation.

□ 1715

The States have the ability to do that. Our amendment gives the States the power to resolve this issue. And before preemption happened, New York State solved a New York City problem with a 917 area code. Since then, they were preempted by the FCC.

Now, telephone number exhaustion is perceived as a local problem, but the truth is that the States are best able to solve the local problem, and it is self-evident at this point. Just think about it. About 10 percent of the numbers are being used. This is a practical matter which affects millions of Americans. Ten percent of their phone numbers are being used, and yet the FCC permits new area codes to be created until there will be no more area codes left and we will have to add another digit and that will cost consumers \$150 billion.

Give this amendment a chance. Give consumers a chance. Do not pave the way for the largest telephone rate hike in history. Let us enforce a discipline upon the FCC for number conservation and for conservation of the fiscal resources of our constituents. We do not need more area codes, we need an FCC which has the direction from this Congress to do its job and to quit wasting the telecommunications resources of this Nation.

Mr. Chairman, Mr. BASS and I offer a commonsense amendment to protect consumers. Our amendment will eliminate the inconvenience and cost experienced by consumers when the telephone company announces that the area code has to change. Our amendment deals with the root cause of area code changes. Our amendment will prevent the ex-

haustion of telephone numbers and save the economy about \$150 billion in preventable emergency measures.

If the rate at which new area codes are being introduced continues, we may run out of area codes by as soon as 2007. If that occurs, we could be forced to add one more digit to all US phone numbers.

The FCC and other reliable sources estimate that the cost to the economy of adding an extra digit to all telephone numbers could be as high as \$150-billion. The cost would cover reprogramming all computer networks and data bases to recognize the expanded numbering format.

It is about the same as the cost of fixing the Y2K bug. But unlike the Y2K problem, the coming crisis in telephone number allocation is entirely preventable.

Through years of wastefulness, there is now a crisis in area code exhaustion. Residents all over this nation are familiar with the proliferation of new area codes due to the exhaustion of number supply. Residents in my own district of Parma, Ohio, have first hand knowledge. In Parma, the telephone Company declared that it had to split Parma into two areas codes. The residents decided to fight back and have contested the need for the area code split in the Ohio Supreme Court. In the process of that effort, they learned that over ninety percent of the telephone numbers in the old area code were not even in use, but were wasted because of telephone company allocation practices. Indeed, Lockheed Martin, the private company that now manages the assignment of new area codes in the nation, has said that only five percent of the nearly 6.4-billion potential telephone numbers are actually in use. Lockheed Martin has also said that if an alternative to these wasteful practices is not adopted immediately, the hundred billion dollar solution of adding a new digit to all telephone numbers will have to be employed.

Our amendment directs the FCC to move quickly to prevent the exhaustion of area codes, minimize cost to consumers and, in case of emergency, delegate to state utility commissioners the ability to prevent area code exhaust. Our amendment promotes competition by ensuring that consumers can take their telephone numbers with them if they choose to switch carriers. Our amendment restores the ability of consumers to dial only seven digits and reach anyone in their area code. And, our amendment will save the economy about \$150 billion in unproductive, and preventable emergency remedial action.

The Bass-Kucinich amendment is pro-consumer.

Mr. Chairman, I urge a "yes" vote on this for all of those people across this country who are fed up with what has happened, with area codes being split, and there not being an exhaustion of telephone numbers.

Mr. BASS. Mr. Chairman, I yield myself the balance of my time, and I want to urge all Members of Congress to support this important amendment.

If the issue is cost, no cost is greater than the unnecessary addition of an area code versus what might have been easily avoided in States all over the country. I know that if there are any concerns that have been voiced on the part of the Committee on Commerce we can work them out in conference.

We need to move now because many States across the country are going to get second or third or fourth or fifth area codes within the next 12 months and it will be totally needless. So I urge support of the pending amendment.

Mr. BALDACCI. Mr. Chairman, I rise today in support of the amendment offered by my friends Congressman BASS and Congressman KUCINICH. Currently, my home State of Maine faces a problem. Due to Federal Communications Commission rules governing the distribution of telephone numbers, Maine is allegedly "running out" of phone numbers.

Maine has one area code: 207. Last year, our Public Utilities Commission was informed that the numbers in the 207 area code would be "depleted" by July 2000. If nothing changes, Maine will be forced to implement a new area code, dividing the state and forcing individuals and small businesses to make expensive changes.

We have been examining this issue closely. Much to our surprise, we found that Maine isn't really running out of phone numbers. In fact, there are plenty of numbers still available—5.7 million of them, to be exact. However, because of the current administration of numbers, Maine's Public Utilities Commission currently has no way to make use of these surplus numbers. Instead, they will continue to go unused, while my State will be forced to implement a second area code. We could avoid this situation for a long time to come, but only if allowed to carry out a more practical and flexible assignment of numbers.

The current practice of allocating blocks of 10,000 numbers minimum to each carrier is wasteful. Even if a small local carrier only uses 100 lines, they are forced to keep the other 9,900 possible numbers in reserve. This simply makes no sense, Mr. President.

That is why I support the Bass-Kucinich amendment which would allow for smaller, more flexible minimum blocks of numbers to be allocated to each local carrier in a state. This amendment also calls on the Federal Communications Commission to conduct a study of conservation methods that could be implemented so that we can forestall the unnecessary nationwide depletion of phone numbers by 2007 and avoid having to take extraordinary measures such as adding a fourth digit to area codes.

It may surprise my colleagues to learn that there are currently no plans to conserve the available phone numbers we have today. The FCC also has not allowed states such as Maine to implement efforts they have devised in order to conserve numbers. If we simply gave states the flexibility to allocate numbers in smaller blocks, say of 1,000, then my State of Maine would not be facing the need for a new area code. If we implement area code conservation, then we will be able to forestall the depletion of available phone numbers. These are things my State's Public Utilities Commission has petitioned to do. I congratulate my colleagues for offering this common sense approach to the allocation of telephone numbers, and urge my colleagues to support this amendment.

Mr. BLILEY. Mr. Chairman, today I reluctantly rise to express my extreme disappointment that this amendment is being offered today as a part of this appropriations process. I have attempted to work with both the gentleman from New Hampshire, Mr. BASS, and

the gentleman from Ohio, Mr. KUCINICH, in order to help achieve the objective of more efficient allocation of telephone numbers. It is unfortunate that despite efforts to broker a solution, Mr. BASS and Mr. KUCINICH feel the need to proceed with an amendment outside the regular authorizing process. I must strongly oppose this amendment.

It is no secret that many states are facing changes in area codes as a result of an explosion in demand for telephone numbers caused by new services such as fax machines and home computers. We have the Telecommunications Act of 1996 to thank for this explosion of technological services that exist today. But telephone numbering is a Federal issue affecting interstate commerce, and requires one set of cohesive national rules. Congress decided in the Telecommunications Act to place the responsibility for crafting these national rules with our nation's expert agency, the Federal Communications Commission.

It is imperative that we maintain a cohesive and coherent set of national rules for the allocation of telephone numbers, both to preserve this important public resource and to ensure that the Telecommunications Act continues to deliver on its promise of competition and transparency in the telecommunications industry.

I have been working with the FCC to expedite improvements to a process to efficiently assign telephone numbers. I will submit for the RECORD a letter that I recently received from FCC Chairman William Kennard about progress in this area. He states that the FCC plans to adopt a plan for the efficient allocation of telephone numbers by March 31, 2000. Chairman Kennard writes, "With respect to the provision of mandatory delegation of additional authority to the States, the Commission recognizes that many numbering problems are local in nature. The Commission has invited States to seek delegations of authority to implement numbering conservation measures."

I reluctantly oppose this amendment, and urge my colleagues to allow for further deliberation under regular order.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, DC, August 4, 1999.

Hon. THOMAS BLILEY,
Chairman, Committee on Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing you with respect to Representative Charles F. Bass's Amendment to H.R. 2670 regarding area code allocations. As you know, the Commission is very concerned with the numbering problems faced by many states. The Commission is committed to working closely with the States to resolve these problems. Very recently, the Commission proposed a plan that will both ameliorate these problems and at the same time assure that the numbering program contributes to the establishment of a national pro-competitive telecommunications policy.

On June 2, 1999, the Commission released a unanimously approved Notice of Proposed Rulemaking to put in place a national area code conservation plan. Public comments on these proposed rules are now being collected. I would like to confirm to you that I will urge my fellow colleagues to support release of an order by March 31, 2000 that will authorize implementation of a plan for the efficient allocation of telephone numbers.

The Commission can adopt a plan by March 31, 2000, but it is my understanding that the telecommunications industry estimates that it will take between 10 and 19

months following a regulatory order to implement thousands-block pooling. Other needed or proposed changes may also require additional investments of time and equipment and further technological development.

With respect to the provision of mandatory delegation of additional authority to the States, the Commission recognizes that many numbering problems are local in nature. The Commission, therefore, has invited States to seek delegations of authority to implement numbering conservation measures. Currently the Commission is processing applications received from California, Massachusetts, New York, Maine, Florida, and Texas. We intend to address these petitions expeditiously.

Given the strong working relationship the Commission has developed with the States in addressing numbering problems, I do not believe the mandatory delegation of numbering authority to the States proposed in the Amendment is necessary. I would strongly recommend that the Commission retain the flexibility to assess States' showing of a need for a delegation of authority prior to granting such authority. The FCC could comply with a requirement that it process State requests within a 90-day timeframe. This would allow time for compliance with APA notice requirements.

Sincerely,

WILLIAM E. KENNARD,
Chairman.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. BASS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 273, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BASS) will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE VII—RESCISSIONS DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE
IMMIGRATION EMERGENCY FUND
(RESCISSION)

Of the unobligated balances available under this heading, \$1,137,000 are rescinded.

DEPARTMENT OF STATE AND RELATED AGENCIES

UNITED STATES INFORMATION AGENCY
INTERNATIONAL BROADCASTING OPERATIONS
(RESCISSION)

Of the unobligated balances available under this heading, \$14,829,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION
BUSINESS LOANS PROGRAM ACCOUNT
(RESCISSION)

Of the unobligated balances available under this heading, \$12,400,000 are rescinded.

AMENDMENT OFFERED BY MR. DEAL OF GEORGIA

Mr. DEAL of Georgia. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 106-284 offered by Mr. DEAL of Georgia:

At the end of the bill, insert after the last section (preceding the short title) the following new title:

TITLE VIII—LIMITATION PROVISIONS

SEC. . None of the funds appropriated in this Act shall be available for the purpose of processing or providing immigrant or non-immigrant visas to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under section 243(d) of the Immigration and Nationality Act.

The CHAIRMAN. Pursuant to House Resolution 273, the gentleman from Georgia (Mr. DEAL) and a Member opposed each will control 5 minutes.

The gentleman from Georgia (Mr. DEAL) is recognized for 5 minutes.

Mr. DEAL of Georgia. Mr. Chairman, I wish to express my appreciation to the chairman of the subcommittee and to the ranking member of the subcommittee with regard to this amendment.

The problem this amendment addresses is the fact that there are thousands of individuals who are criminal aliens that are being detained in U.S. detention facilities that are in a limbo status.

Currently, we have over 3,300 individuals in those detention facilities that are deportable criminal aliens. The reason that they are in a deportable status and in limbo is the fact their native countries refuse to accept their return. It is estimated that the cost of these being detained indefinitely is in excess of \$80 million a year.

What this amendment does is simply put further teeth in the law that was recognized and passed by this Congress years ago. The current law states that if the Attorney General notifies the Secretary of State that a country refuses to accept a deportable alien back, that the suspension will take place as to the processing of visas for individuals of that country until the deportees are allowed to return.

This amendment simply puts further teeth that the funding for that purpose will be withheld until the country accepts their citizens back.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. DEAL of Georgia. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding to me, and I rise in support of this amendment.

I understand that the INS is holding over 3,300 cases of aliens with deportation orders who are awaiting return to their home countries but for whom their home countries will not provide the necessary travel documents to allow their return.

Of the 3,300 cases, most of them are from only four countries. Over half, obviously, are from Cuba, 1,800; Vietnam, 674; Cambodia, 30; and Laos, 35. Of the remaining cases, the majority of them are more than 6 months old and come from 102 different countries. So the four countries are the big numbers here.

In some instances, the home country will not accept the person because they do not want "only criminals" back, or they will simply refuse to recognize an individual once they have established residence in the U.S. Others will claim paperwork delays are long because of recordkeeping problems.

In an effort to remedy the problem, the 1996 Immigration Act contained a provision which stated that upon being notified by the Attorney General that the government of a foreign country refuses to take back its nationals, the Secretary of State shall order consular officers in that country to stop issuing immigrant and nonimmigrant visas to nationals of that country until the Attorney General notifies her that the country has accepted their nationals.

Even though the INS has stated that there are problems returning persons to some countries, we are told the Secretary of State has never ordered the suspension of issuance of visas for this purpose. The State Department claims that neither INS or the Attorney General have ever formally notified them of problems, although the State Department admits that they have been contacted by INS about their troubles in returning some persons.

I think it is time, Mr. Chairman, that the Secretary gets serious in assisting the Attorney General in returning these criminal and illegal aliens. We are using valuable and scarce and declining detention spaces, bed spaces, on persons for whom deportation has already been ordered and the country refuses to receive them. So I urge our colleagues to support the gentleman's amendment. It is well thought out, and it constitutes a real problem.

Mr. DEAL of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I support the Deal amendment. We have noncitizens committing felonies in America, we are incarcerating them, and we are paying \$80 million a year to keep them in prison. The law says that we can deny the issuance of visas to their countries of origin and to their citizens of their countries of origin, but we are not doing it.

The Deal amendment is absolutely needed. I want to commend and compliment the gentleman for his effort.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I would point out to the gentleman from Ohio (Mr. TRAFICANT) that the law says the Secretary of State shall, not may, but shall deny visas to other people from that country until they accept their criminal aliens back.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, the Deal amendment makes sure that the respective officials understand the intent of Congress to enforce this law.

Mr. FOLEY. Mr. Chairman, the United States must maintain a tough and uncompro-

misng policy on deportation of criminal non-citizens.

U.S. prisons and INS detention facilities are bulging to the point that many non-citizen convicts could be released into society in the near future.

This is wrong.

Those who abuse their immigration status by committing crimes in this country must not be allowed to stay.

The INS is already overburdened and underfunded to the extent that it cannot fulfill its enforcement mission.

This situation is only made worse when it is forced to deal with individuals whose home countries refuse to take them back. The Federal Government spends approximately \$67 per day and \$80 million per year to detain these individuals—sometimes indefinitely.

For this reason, I am in strong support of Congressman DEAL's amendment. I have been working on similar legislation myself.

It is ridiculous that we continue to grant immigration visas to countries who will not cooperate with our law enforcement efforts.

There must be some recourse.

In fact, we already have the legal authority to do something.

The State Department can sanction these countries by denying them immigrant and non-immigrant visas. However, the agency has never used this authority.

We cannot continue to let U.S. taxpayers bear the burden of other countries' reprehensible behavior and of our own government's unwillingness to take aggressive action to correct this problem.

We must put the Administration and the State Department on notice that weakening our policies toward criminal non-citizens is not acceptable.

If a criminal from Mexico or Israel must be deported, so must a criminal from Vietnam or Russia.

Therefore, I would urge my colleagues to support Congressman DEAL's amendment.

Mr. DEAL of Georgia. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman's time has expired. All time has expired.

The question is on the amendment offered by the gentleman from Georgia (Mr. DEAL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by BOP as appropriately secure for housing such a prisoner.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, the amendment is straightforward. It says none of the funds made available in this bill can be used by the Justice Department to, in fact, transport an individual who is a prisoner pursuant to conviction for crime under State or Federal law, and is classified as a maximum or high-security prisoner, other than to a prison or another facility which is certified by the Bureau of Prisons as appropriately secure for housing such prisoners.

Here is the bottom line of the Traficant amendment. It stops the utilization of any funds by the Department of Justice to transport a dangerous maximum high-security prisoner to a prison or a detention facility that is not secure enough or adequately staffed or rated or certified to house that type of dangerous criminal.

This is absolutely necessary. It will reduce the incidence of crimes against our security guards and other fellow inmates, and it is a commonsense, practical decision that I recommend very strongly the House support.

Mr. ROGERS. Mr. Chairman, I rise in support of the gentleman's amendment. The classifications of inmates should match the classifications of the facilities, especially in the case of maximum security inmates who need the heightened security features to protect the general public, the prison employees, and other inmates.

I believe that this rule is followed in the Federal prison system, but for the last 2 years we have heard testimony that certain D.C. inmates, being transferred to alternative facilities while waiting transfer to more permanent facilities, were incorrectly transferred to facilities with a lower classification. This meant that inmates that the Federal system would classify as maximum or high security were being placed in medium-security facilities. As a result, several incidents occurred, including the death of several inmates and the escape of several others into the community.

Let me make this clear. The director of the Federal Bureau of Prisons has testified that classifications are important and that facilities should provide the necessary level of security for its inmates. So I would urge our colleagues to support the amendment of the gentleman, and I thank him for offering it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. VITTER

Mr. VITTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VITTER:

Page 110, after line 6, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated or otherwise made available by this Act may be used for participation by United States delegates to the Standing Consultative Commission in any activity of the Commission to

implement the Memorandum of Understanding Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, entered into in New York on September 26, 1997, by the United States, Russia, Kazakhstan, Belarus, and Ukraine.

□ 1730

Mr. VITTER. Mr. Chairman, this amendment is about missile defense. It is very simple. It simply states that no funds in the act shall be used to implement the memorandum of understanding entered into on September 26, 1997, between the United States, Russia, Kazakhstan, Belarus, and the Ukraine.

This is a memorandum of understanding regarding the 1972 ABM Treaty. Precisely the same amendment word for word passed this House last year easily, 240-188. And so this amendment merely continues that status quo in the law and does not change present law in that sense.

The memorandum of understanding of September 26, 1997, and related documentation essentially does two things. First of all, it changes the parties to the 1972 ABM Treaty, updates that treaty if you will, by supplementing instead of the old Soviet Union, the former Soviet Republic that I mentioned.

The second thing the memorandum and related documents does is it really expands that treaty, expands the scope to disallow more theater missile systems.

The Clinton administration has frankly admitted, and this House has voted on many occasions, that this is a new treaty and this must be put before the United States Senate and ratified by the United States Senate. This has never happened. The memorandum has not gone there. It has never been ratified.

Now, I strongly believe we should develop aggressively missile defense systems and not renew and expand the old ABM treaty, particularly to expand its scope and disallow more theater systems. But really, this amendment is far simpler than that and really deals with much more of a threshold question. This is not so much a defense issue but a constitutional issue.

The memorandum of understanding has not been put before the United States Senate. It has not been ratified by the United States Senate.

Everyone, including the Clinton administration, agrees that this must occur because it is essentially a new treaty. That has not happened.

So until and unless that happens, we should not spend money enforcing that new regime, particularly when it is highly controversial and goes to the heart of our missile defense debate, particularly when this House has voted not to spend that money in the past, particularly when this House and this Congress has voted affirmatively to aggressively develop missile defense systems, including theater systems.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. VITTER).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. GEORGE MILLER of California:

At the end of the bill (preceding the short title), add the following:

TITLE—LIMITATION

SEC. . Of the amounts made available by this Act, not more than \$2,350,000 may be obligated or expended for the Inter-American Tropical Tuna Commission.

Mr. GEORGE MILLER of California. Mr. Chairman, this amendment that I am offering this evening does nothing more than ensure that the current law regarding the funding of the Inter-American Tropical Tuna Commission is being followed. It does so by limiting the U.S. contribution to no more than 50 percent of the Tropical Tuna Commission, thereby ending the long-standing taxpayer subsidy of foreign nations who are members and benefit from the work of this commission.

There are two principal benefits from this amendment. It ensures countries pay their fair share for the Tropical Tuna Commission of its expenses which they committed to when they signed on to the commission in 1997. The law requires that it frees up money for other international fishing commissions that are already funded below the President's request.

Mr. Chairman, in 1949 the United States signed onto a convention establishing the Inter-American Tropical Tuna Commission. This commission was designed to coordinate international efforts to maintain a healthy population of tuna and other marine species taken from the eastern Tropical Pacific Ocean.

Currently 11 nations are members of this commission: Costa Rica, Panama, Japan, France, Vanuatu, Nicaragua, Venezuela, El Salvador, Ecuador, Mexico, and the United States.

The Tropical Tuna Commission is involved in many activities that affect all member nations, and there are costs associated with these activities and the convention specifies how the commission should be funded.

It says that those countries that harvest more fish pay more. Specifically the commission states: "The proportion of joint expenses to be paid by each of the high-contracting parties shall be related to the proportion of total catch of the fisheries covered by the Convention and utilized by the high-contracting party."

This made sense in 1949, and it makes sense today. We paid our share then and we still do now. In fact, we pay a good deal more than our share. Circumstances have changed and changes must be made in our payments.

The United States is no longer the largest beneficiary of tuna from the eastern Tropical Pacific. In fact, we only catch about 5 percent of the tuna from this area. And our average utilization over the last 10 years has been around 40 percent.

Despite this, the United States continues to pay the lion's share of funding for the Tropical Tuna Commission, as much as 90 percent in recent years.

The taxpayers' subsidy of foreign fishing nations must stop, and it is time for these other countries to carry their own weight.

In fact, in 1997, the International Dolphin Conservation Program Act requires that member countries pay their fair share of the Tropical Tuna Commission. And in fact that same agreement has incentives for them to do so, and it is written into law that clearly states the countries that fail to pay their fair share cannot export their tuna into the United States.

Mr. Chairman, all my amendment does is uphold these requirements of the current law. It does not change the 1997 Dolphin Protection Act or the international agreements in any way. It simply assumes a critical provision of law will be enforced.

In addition, it has no effect on the International Dolphin Conservation Program, funding for observers, or other activities. The funding for those programs come from fees on the tuna vessels, not from the country contributions. So this in no way impacts the International Dolphin Conservation Program.

Regardless of how we feel about modifying the dolphin-safe label, surely we can all agree that our taxpayers should not be underwriting the fishing interest of these other countries. This is a fair position. That is the position that the Senate just over a week ago on a bipartisan vote agreed to 61-35.

The money saved will still be available to the State Department to spend on 12 other international fisheries commissions which we belong to and which are funded at \$2 million below the President's request in this legislation. So let us not undercut a dozen other important commissions so that our constituents can continue to subsidize countries that refuse to pay their fair share contrary to U.S. law, contrary to the agreement that they entered into on the International Dolphin Conservation.

If they get the benefits of the act, they are supposed to pay their fair share. These countries have refused to do so.

This amendment would still have the United States picking up 50 percent of the cost of this commission. That will leave the other 10 countries the need to pick up the other 50 percent even though they utilize it far in excess of that amount.

I think this is simply about equity for the taxpayers. It is about upholding

the agreements that people have entered into. And I think it is an amendment that we should adopt as did the Senate by the bipartisan vote of 61-35.

This amendment does nothing more than ensure that current law regarding the funding of the Inter-American Tropical Tuna Commission is being followed.

It does so by limiting the U.S. contribution to no more than 50 percent of the IATTC budget, thereby ending the longstanding taxpayer subsidy of foreign nations who are members of, and benefit from the work of the Commission.

There are 2 principal benefits from this amendment:

(1) it ensures countries pay their fair share of IATTC expenses, which they committed to when they signed onto the Commission and as the 1997 law requires;

(2) it frees up money for other international fisheries commissions that are already funded below the President's request.

Mr. Speaker, in 1949, the United States signed a convention establishing the Inter-American Tropical Tuna Commission (IATTC). This Commission was designed to coordinate international efforts to maintain health populations of tuna and other marine species taken in the eastern tropical Pacific Ocean (ETP).

Currently 11 nations are members of the commission—Costa Rica, Panama, Japan, France, Nicaragua, Vanuatu, Venezuela, El Salvador, Ecuador, Mexico and the United States.

The IATTC is involved in many activities that affect all member nations. And there are costs associated with these activities. The convention specifies how the Commission should be funded.

It says that those countries that harvest more fish should pay more. Specially the Convention states: "The proportion of joint expenses to be paid by each high Contracting Party shall be related to the proportion of the total catch from the fisheries covered by this Convention utilized by the High Contracting Party."

This made sense in 1949, and it makes sense now. We paid our share then, and we still do now. In fact, we now pay a good deal more than our share.

Circumstances have changed and changes must be made to our payments. *The United States is no longer the largest beneficiary of tuna from the ETP*. In fact, we only catch only five percent of the tuna from the ETP. And our average utilization over the last 10 years is around 40 percent. Despite this, the United States continues to pay the lion's share of funding for the IATTC—as much as 90 percent in recent years. *This taxpayer subsidy of foreign fishing nations must stop. It is time for those other countries to carry their own weight.*

In fact, the 1997 International Dolphin Conservation Program Act requires that member countries must pay their fair share of the IATTC expenses. *And there is no incentive for them to do that written into the law which clearly states that countries that fail to pay their fair share cannot export their tuna to the United States.*

Mr. Speaker, *all my amendment does is uphold the requirements of current law*. It does not change the 1997 dolphin protection law or the international agreement in any way. It simply assumes a critical provision of that law will be enforced. *In addition, it has no effect on*

the International Dolphin Conservation program funding for observers and other activities. The funding for that program comes from fees on tuna vessels, not from country contributions.

Regardless of how we felt about modifying the "Dolphin Safe" label, surely we can all agree that our taxpayers should not be underwriting the fishing interests of other countries. That is a fair position the Senate agreed to by a bipartisan vote of 61-35.

The money saved will still be available to the State Department to spend on more than 12 other international fisheries commissions to which we belong which are funded at \$2 million below the President's request in this bill. So let's not undercut a dozen other important commissions so that our constituents can continue to subsidize countries that refuse to pay their fair share, contrary to U.S. law.

Mr. FARR of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of this amendment.

Frankly, this is the situation: in 1997, we passed a law saying that the ability for these countries to fish in the area which is called the eastern Tropical Pacific for tuna and in order for them to market that tuna in the United States as dolphin-free tuna or dolphin-safe tuna that they would all have to participate in the Inter-American Tropical Tuna Commission.

Unfortunately, they are not carrying their fair share. So what happens is the United States, they are using our market. That is the only reason this is all here, they are all shipping their tuna into the United States. What we are saying is that they ought to be paying their fair share.

Countries like Costa Rica catch about 70 percent of it, and they pay nothing. Venezuela catches about 16 percent or uses 16 percent of the market. They pay nothing. Ecuador fishes about 26 percent of the fish. They pay nothing.

So what this amendment does is say that the United States should not have to pay more than its fair share. But even at that, the bottom line is that we would be paying 50 percent of the commission's cost.

So I mean, this is a no-brainer that the United States has got to stop carrying the heavy burden. The advantage for all these fisheries is that they can come and sell their product in the United States to American consumers, and we ought to require them to pay their fair share of the commission expenses.

Mr. Chairman, I insert the following:

GROUPS SUPPORTING THE GEORGE MILLER OF CALIFORNIA AMENDMENT:

The Humane Society of the United States.
Animal Welfare Institute.
Defenders of Wildlife.
Friends of Animals.
Public Citizen.
Whale Rescue Team.
Greenpeace Foundation.
Massachusetts Audubon Society.
ASPCA.
Dolphin Connection.
Society for Animal Protective Legislation.
Earth Trust.

Friends of the Earth.

Brigantine New Jersey Marine Mammal Stranding Center.

American Oceans Campaign.

The Fund for Animals.

Marine Mammal Fund.

South Carolina Association for Marine Mammal Protection.

Earth Island Institute.

Animal Protection Institute.

American Humane Association.

Mr. GILCHREST. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, the gentleman made mention that Ecuador pays nothing? Is that the country he said? He said they pay nothing?

\$142,000 from Ecuador. Venezuela \$67,000. Costa Rica \$29,000. Significantly smaller countries. But the United States is telling these other 10 countries how they have to fish to meet our standards. This is an international agreement decided upon by the United States to protect the dolphin and the tuna industry.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, the fact of the matter is they pay very little in terms of their participation.

We are telling them this is what they signed on to, this is an agreement they agreed to. They are signatories to this operation. We changed it to meet their concerns and so that they can import the tuna in this country, and they agreed.

A contract is a contract. They signed a contract saying this is what they agreed they would do. Now they are not doing it. So we end up paying 70 or 80 percent of the cost of this commission. It is not much more complicated than that.

Mr. FARR of California. Mr. Chairman, reclaiming my time, let me just point out that this is really an equity issue. It is all based on the fact that we would not even have a law if it was not for that these other countries want to fish for tuna and have to use an international law which we have led with so that they can sell their tuna in this country. That is where the market is.

The American consumers are making all of this happen. We are just asking that these countries bear their fair share. It is big business. It is a lot of money. And they certainly can afford it.

Mr. GILCHREST. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to make a comment. The gentleman from California (Mr. GEORGE MILLER) said that the fees from the fishermen will pay for the implementation of the dolphin-safe fishing techniques, something to that end, the fees of the fishermen pay for the program. That is how I interpret it.

What I want to make a comment on is the fees from the fishermen do not

cover the funding for the dolphin program. It is only about 50 percent of the total cost of this program.

The biological work from the commission comes from the contributions from the participating countries.

I rise in opposition to the amendment, strong opposition, Mr. Chairman. I do not often oppose the gentleman from California (Mr. GEORGE MILLER) on marine resource issues. But I think the gentleman is wrong on two counts.

Number one, if we cut the funding by the amount the gentleman from California wants to cut the funding, this will completely cripple the program entirely. The participating nations at this point have not negotiated the total amount of money that is necessary. That is going to happen in October.

My colleague has made several points about the role of the United States in the Inter-American Tropical Tuna Commission versus our actual participation in the fishery. I want to make a comment about the utilization. Between 30 and 83 percent of the tuna in the last 10 years, with passage of the International Dolphin Conservation Program, comes to the United States. And that number will go up.

□ 1745

Until the U.S. fleet was effectively driven out by the tuna-dolphin regulations, the United States caught the bulk of the tuna fish in the eastern tropical Pacific. As soon as this negotiation goes through and as soon as the science is done, as long as we do not have a million-dollar cut in the appropriation, we will do two major things: We will save the dolphins, who used to be slaughtered at about 100,000 a year, down to below 2,000 a year; and, number two, we will increase the tuna fishing industry in California. Also, the vast majority of the costs of dolphin protection are borne not by the international agreement but by the fishermen themselves. The fishermen now have to buy extra speed boats, rafts, divers to assist in the dolphin nets, added cost to carry the mandatory observers on board, et cetera, et cetera, et cetera. Contributions to the Inter-American Tropical Tuna Commission effectively fund this management regime.

My colleague has also argued that the International Dolphin Conservation Program Act of 1997 was passed in part to end these heavy subsidies. Well, that is what is in the process of happening right now. The heavy subsidies are being reduced. No one disagrees that it is necessary to eventually bring the U.S. contribution in line with its present share of the fishery. The International Dolphin Conservation Program Act even contains a sense of Congress that the parties should negotiate a more equitable scheme for contributions. However, while almost any program might be able to cut costs incrementally over time, slashing funding

by one-third all at once is a crippling blow to the research and conservation efforts of this most important program. Participating nations will meet in October to work out a more equitable schedule for annual contributions. I fully expect the parties to this agreement to meet their responsibilities and bear a more proportionate share of the Inter-American Tropical Tuna Commission's budget. If that does not happen, I would quite happily support a cut to their budget next year, a small cut to their budget, but enough to send a strong signal. In the meantime, we should meet our commitment, allow the negotiations to proceed, and work in good faith to develop a more equitable allocation.

We cannot solve an international problem with a unilateral cut like the gentleman from California is proposing here. A vote against the amendment of the gentleman from California saves dolphins, substantially invigorates the tuna fishing industry in California, goes a long way to saving other marine mammals, and goes a long way to saving the vast fishery and the marine ecosystem in the eastern tropical Pacific.

I strongly urge my colleagues to vote against the amendment proposed by the gentleman from California.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 16 minutes and that the time be equally divided between the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. CUNNINGHAM).

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 2 minutes simply to respond to what the gentleman from Maryland says.

This amendment has no impact on his concerns. What this amendment simply says is that these nations who sought to change the law, who sought to change the access to the American market, who signed an agreement to do so, that they keep their word, that the taxpayers of this country get the benefit of that.

We have been funding over 90 percent of this. We have not taken anywhere near that amount of tuna over the last 10 years. All of those things that the fishers have to do now in terms of speed boats and monitors, all the rest of that is what they agreed to do because that is what they said they would do in order to get access to the American market. That is why they signed the agreement. That is why you changed the label. That is why we changed the law, so that they could do this. Clearly that is a very small expenditure compared to finally having, after many years, access to the American consumer market. That is the deal.

Yes, they will start negotiating. We all know how the international bodies

negotiate. They will pick out a lovely city somewhere in the world, they will go there month after month after month after month and 3 or 4 years from now, because this is about negotiating the entire treaty, they will come back to us. In that time the American consumers are going to be out 6, 8, \$10 million. That could be used to shore up the other international fisheries commissions that are not properly funded under this legislation or in request with what the President has sought for those.

This is not about dolphin safety. All of the things to protect the dolphin are in place under the agreements. This is about the enforcement. One of the conditions to participating in the program is that you meet your commitments under the law in terms of your financial responsibility. These countries have chosen not to do that. Once again, the good old United States comes in and picks up the fall. You have 10 countries that would have to whack up half of the budget, yet they are harvesting 70, 80 percent of all the tuna. This is just a matter about equity for the United States taxpayers. It is that simple.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, when my legislative staff talked to me about this amendment, they pointed out that my friend the gentleman from California (Mr. GEORGE MILLER) was offering the amendment. They also pointed out that the gentleman from Maryland (Mr. GILCHREST) was opposing the amendment and they said, "Where do you stand?" I gave the typical political answer. I said, "I stand with my friends." But you cannot get away with that. You have got to look at this. I have looked at it very carefully. I oppose the amendment.

This, as I see it, is a battle of "might happens." As the State Department points out, this amendment is unnecessary, because they are working on renegotiating a more favorable U.S. allocation. It is also counterproductive. Why is that? Because it might jeopardize the U.S. position on other conservation issues. Since the State Department folks are the ones who are actually sitting at the table for these negotiations, I tend to feel, and I agree with the gentleman from Maryland, that we should take these "might happens" a little more seriously.

According to a lot of folks who participate in these discussions, World Wildlife Fund is a good example, the humane groups and the Earth Island Institute, they do not participate in this process. I look at who is supporting it and who is opposing it. When I look at the opposition to the amendment, I see the administration, the Center for Marine Conservation, the World Wildlife Fund, Greenpeace, the

U.S. State Department, the U.S. tuna fishing industry. That is an eclectic and diverse group. I actually think this may cause us to violate treaty obligations. That really concerns me.

I am mindful of the fact that this amendment was considered in the committee and it was rejected. I am mindful of the fact that what we did in the last Congress, the 105th Congress, and I think this would undermine the tuna-dolphin protection legislation which we passed by an overwhelming majority in the last Congress.

For all of those reasons and more that I do not have the time to cover, I stand with my friend against a friend. I oppose the amendment and urge its defeat.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I just have a closing comment. We passed a law directing that the parties negotiate the terms of the agreement so that all nations pay their fair share. All nations will pay their fair share. That process is continuing. There will be a meeting of the Inter-American Tropical Tuna Commission in October. It is the United States that wants to ensure, with its negotiating parties, that this agreement does not fall apart, that more dolphins are not killed. If this agreement falls apart, not only will you have more dolphins killed, but you will be catching immature tuna fish in a manner in which it will play out. You will kill more sea turtles. You will kill more sea lions.

If \$1 million is cut from the budget of the Inter-American Tropical Tuna Commission, not enough biological work will be done, not enough money will be out there buying the kinds of equipment that will be necessary to ensure the success of this program. I urge my colleagues to vote against the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself the balance of my time.

Those are all interesting arguments from my colleague from Maryland. They are just not factual. It is just not the situation as it exists. This is not an agreement to work out payment in the future. This is the treaty. This is what they agreed to:

"The proportion of joint expenses to be paid by each high contracting party shall be related to the proportion of the total catch of the fisheries covered by the covenant."

That is not what they have agreed to do. They suggest here, well, the dolphin agreement will fall apart. If it falls apart, they lose their access to the American market. They have been trying for a decade to pry that market open. It is now there based upon this agreement. You say they are going to start meeting in October to negotiate these. Every day they do not negotiate them they win because Uncle Sam is picking up the tab. So there is no urgency in this. There is no urgency in this.

Why do you not send them a message that we are more than willing to pay our fair share and even then some, but they have to contribute something to this effort? They ought to participate in this. They are getting the benefit. I mean, we argued here for a couple of hours about our unwillingness to pay a debt owed to the United Nations and here we are willing to pay money we do not even owe, that is not even called for under the treaty. This is turning Uncle Sam into Uncle Sucker. What is going on here? People signed an agreement, they signed a covenant, they signed a treaty, they signed a contract, they say this is what we are willing to do to have access to the American market and then they do not do it.

And so what happens? You go out and you pass the hat among the American taxpayers, we cough up a few million dollars and the bureaucrats and the diplomats just continue on about their way. This has nothing to do with the safety of the dolphin. They have agreed to fish in a dolphin-safe fashion under the guidelines that the gentleman promoted. We had that fight. They also agreed to the terms and conditions of this treaty. If they fish differently, if they start killing dolphins, then they lose the American market, and we know what that means to them. Because that is the biggest financial plum they possibly have.

Why do we keep selling the American market so cheap? This is not a lot of money but it is an important principle, it is a very important principle, that people should pay their fair share. Again, we go back to the debate earlier about who is paying their fair share and who is paying too much at the United Nations. Well, this is just a small commission. But if the other countries do not pay their fair share, we pay more here and then other international fisheries commissions do not get the allotment that is necessary to them to do the kinds of protective programs that you say you want.

That is why this amendment is supported by the Humane Society, by the Defenders of Wildlife, by the Friends of the Earth, the American Humane Association, the Fund for Animals, because they recognize the need to get these countries to pay their share as they agreed to do. That is the nature of contracts, that is the nature of treaties, that is the nature of binding agreements. What do we have? Do we have an invisible clause that is known only to the diplomats, only to the negotiators that says in the event you decide not to pay, the U.S. treasury will pick up the difference? I do not think so. I do not think that is the way it should be, but that is the way it has been on this commission since 1949. We have been shoveling the money to this commission and these countries have been going along for the ride. Now we have provided a very, very substantial benefit and access to the American markets and we are not requiring that they pay their fair share.

Remember, under this amendment, we are picking up 50 percent of the cost. We are harvesting 5 percent of the tuna. So I am giving them the benefit of the doubt that they are small and they are poor and they are a lot of things. But this is 50 percent of the cost.

Do your taxpayer a favor tonight. Support this amendment, support it in the same manner that it was supported in the United States Senate and, that is, on an overwhelming 2-to-1 vote on a bipartisan basis, recognizing the need to enforce the agreement as it is written, as it was agreed to and the need to protect the taxpayer.

We talk a lot in these international agreements about mission creep. Well, this is sort of cost creep. The budget keeps going up, they keep agreeing to it, and we just keep laying off a little bit more on the American taxpayer. Let us stop the cost creep. Let us stop the unfairness creep, if you will, and let us go with the guidelines in the treaty. As I say, we will continue to pick up 50 percent. They can then negotiate and they can negotiate whatever terms they want, but the fact of the matter is, we will not be sitting around waiting for them to do that and continuing to dip into the U.S. Treasury on behalf of these countries that have just decided they are simply not going to pay in spite of the fact that this Congress in a dramatic move opened up the best market there is for this tuna and the least expensive market there is for them to get this tuna to market.

□ 1800

So when we talk about the expenditures that they might have, we have done them a tremendous favor. I hope it will all work out, and they ought not to take advantage. They ought not to take advantage of our goodwill, they ought not to take advantage of our taxpayers, they ought not take advantage of our patience in terms of complying with this agreement that provided them with such incredible, incredible benefits.

The CHAIRMAN. The gentleman from California (Mr. CUNNINGHAM) is recognized for the balance of his time.

Mr. CUNNINGHAM. Mr. Chairman, for 2 years the gentleman from California, tried everything that he could to kill the tuna-dolphin bill along with the gentlewoman in the other body from California. We thought that was wrong, and we still do. For the gentleman to claim that this is a fiscal responsibility issue is laughable. They have done everything that they can to kill this, and it is bipartisan opposition they face.

In the Senate I talked to the Senators. They said the B-2 should have such stealth. They came in, they did not know this killed the tuna-dolphin bill. We had not had a chance to gear up for the letters, and no wonder it passed. They did not know that it was going to hurt the tuna-dolphin bill which they voted for overwhelmingly I

would say, Mr. Chairman, the President, the Vice President, the State Department, bipartisan Congress, Center for Marine Conservation, Green Peace, Scripps Institute of Oceanography and 11 other nations, they said build it and they will come. Eleven other nations, build it and save the dolphins, save all marine mammals, and 11 nations will come. And they did come.

Mr. Chairman, I would say: "Shoeless GEORGE MILLER, tell me it is not so. Please, Shoeless GEORGE MILLER, tell me it is not so, that you would offer this anti-environment amendment. Tell me, please, GEORGE MILLER, that one of the groups that oppose this was a group that wanted in California to stop trout and bass fishing because it hurt the fish.

Tell me it ain't so, shoeless GEORGE MILLER. Tell me that the other group that opposes this of all the environmental groups is the group that the unbomber supported. They spike trees to kill loggers. Tell me it ain't so, Mr. GEORGE MILLER. Tell me it ain't so."

For them to say that this is a fiscal issue is just wrong.

Let me give my colleagues some letters. Clinton-Gore administration State Department: "The amendment would seriously jeopardize important programs being undertaken by the IATCC." The President highlighted this. He had a Rose Garden signature, and the gentleman is trying to kill that. He tried to kill it for 2 years. This is his way to do it and claim fiscal responsibility.

The Center for Marine Conservation, Green Peace: "It will result in the death of dolphins, sea turtles, sharks and other bill fish."

Here is the Director of World Wildlife Fund: "IDCP program works. Consequently it should not be the target of Mr. MILLER's, quote, 'anti-environment action.'"

We hear all the time that we support things for special interest groups. Well, the groups we have are about 90 percent of the environmental groups, and we have got two groups, two special interests, that want to kill this bill. Do not let that happen. This is one of our most shining moments working together in a bipartisan way.

Here is the vote: overwhelming here in the House. Here it is right here. Do not throw that away. We always talk about when we can work together as a body, when we can support each other, when we can work on the environment together. This is one of those shining moments that the House did come together, the Senate did come together, the President signed it, the Vice President; he supports our position and against this amendment.

Please come back and help us.

We have our sports fishermen. This is tied to Mexico as well. Our sports fishermen work with Secretary of Mexico Carlos Comacho. Mexico has been part of this for 4 months, and guess what? They are already kicking in a share of the payment.

The act itself says that all the payments will be addressed, and they are under that auspices as we speak.

So this is an amendment with an attempt to kill the tuna-dolphin bill which the gentleman from California tried to kill for 2 years. Now he has that right. He felt it was wrong. But the overwhelming majority of this body, the other body, and all the other environmental organizations disagree with my friend from California.

We do not pay too much. I would ask my colleagues not to turn their backs on a program that has saved over 97,000 dolphins, 97,000, each year. The group that the gentleman from California (Mr. GEORGE MILLER) is espousing controls the tuna-dolphin label. They stand to lose millions of dollars. Do we allow a group, a special interest group, to pocket money at the expense of the environment? And that is why the letter of this anti-environment amendment.

I would ask my colleagues, reject the Miller amendment. Stand for the bipartisan tuna-dolphin bill.

Mr. BILIRAKIS. Mr. Chairman, I rise today in support of the George Miller of California amendment which reduces U.S. taxpayer subsidy for foreign tuna fishermen.

The International Dolphin Conservation Program Act of 1997 allows previously embargoed countries to export their tuna to the United States. In exchange for opening our markets, Congress required countries meet the legal and financial obligations of membership in the Inter-American Tropical Tuna Commission (IATTC), which regulates tuna fishing and the International Dolphin Conservation program. These obligations include funding the IATTC.

The operating expenses of the IATTC are to be divided between member countries based on the proportion of the amount of tuna which each nation harvests from the fisheries.

The key word is "proportion." The numbers speak for themselves. Historically, the United States has paid for 75% of the IATTC's operating expenses, but the U.S. share of the tuna catch is less than 40%. Should American taxpayers subsidize foreign fishing fleets by paying almost double our contribution? The State Department seems to think so.

It has proposed using taxpayer money to pay for "lapses" in the contribution for the IATTC. In other words, the State Department wants the American taxpayer to pay almost "double" our share rather than impose stipulations on those members who have delinquent financial obligations.

The George Miller of California amendment will reduce the U.S. financial contribution by \$1 million, meaning that the U.S. will still be paying for 50% of the IATTC's annual budget. Since contributions by other countries have been based in the large part on the amount paid by the United States, supporting this amendment would force other fishing nations to begin paying their fair share. The Miller amendment does not undermine the International Dolphin Conservation program, particularly the observer program, which is funded by the tuna vessels and not by country contributions.

Mr. Chairman, over the past nine years, American taxpayers have paid almost \$15 mil-

lion above our obligation under the Convention. Isn't it time that those nations benefitting from the International Dolphin Conservation Program Act of 1997 and profiting from our open markets, meet their financial obligations to the IATTC?

I urge my colleagues to support the George Miller of California amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 273, further proceedings on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) will be postponed.

Mr. ROGERS. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2670, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. ROGERS. Mr. Speaker, we are nearing the end of this bill, and we have had good progress so far. We are on the very last title, as my colleagues know, and there are only 9 amendments remaining, and in the interests of attempting to expeditiously move the bill and to finish the bill at an early hour this evening, I wish to propose a unanimous consent request:

That during the further consideration of H.R. 2670 in the Committee of the Whole, no amendment shall be in order except for pro forma amendments offered by the chairman and ranking member and the following amendments which may be offered only by the Member designated, shall be considered as read, if printed, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for 10 minutes, equally divided and controlled by the proponent and a Member opposed thereto:

An amendment by Mr. KUCINICH numbered 1;

An amendment by Mr. CAMPBELL numbered 5;